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LIFE AND REMAINS

OF

ROBERT LEE, D.D.

"Imperfecta necesse est labent et modo prodeant, modo sublabantur aut succidant. Sublabentur autem, nisi ire et niti perseveraverint; si quicquam ex studio et fideli intentione laxaverint, retro eundum est. Nemo profectum ibi invenit ubi reliquerat. Instemus itaque et perseveremus . . . . magna pars est profectus, velle proficere."—SENECA, *Epistol. Moral.* 71.

VOL. II.

LIFE AND REMAINS

OF

ROBERT LEE, D.D.,

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PROFESSOR OF BIBLICAL CRITICISM AND ANTIQUITIES
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DEAN OF THE CHAPEL ROYAL OF HOLYROOD;
AND CHAPLAIN IN ORDINARY TO THE QUEEN.

BY

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IN TWO VOLUMES.

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ERRATA.

Page 79, foot-note, *pro* "Sacrament," *lege* "Sacraments."
Page 133, foot-note, *pro* "twenty-five," *lege* "twenty-four."
Page 356, line 2 from top, *pro* "the Registrar-General," *lege* "of the General Registry Office."

LIFE AND REMAINS

OF

ROBERT LEE, D.D.

CHAPTER I.

PRINCIPAL LEE.—PROFESSOR ROBERTSON.—S. DALMAS.—LORD ABERDEEN'S ACT.—SUBSCRIPTION OF FORMULAS.—FAMILY DISTRESSES.—BEREAVEMENTS.

> "Ita vita est hominum, quasi quum ludas tesseris:
> Si illud, quod maxime opus est jactu, non cadit,—
> Illud quod cecidit forte, id arte ut corrigas."
>
> TERENCE, *Adelphi*, Act iv., Sc. 7.

ONE well-known figure was missed in this Assembly of 1859. Principal Lee, the venerable head of the University of Edinburgh, was called away three weeks before the Assembly met. The Church lost in him not only her most accomplished divine, but the last link of personal connection with the worthies of the eighteenth century. He had entered the University while Robertson was its Principal; and Carlyle, of Inveresk, writes to Lady Frances Douglas: "I have got a trusty friend and an able physician, an uncommonly good divine and an eminent preacher, all in the person of one young man, whom I have taken to live with me;" and this young

man was John Lee.* His death is thus recorded in Dr. Lee's diary:—

"*May* 2.—This morning poor old Principal Lee was called away from us. A singular man assuredly—of prodigious memory and great reading, especially in the ecclesiastical, literary, and academical annals of Scotland, but withal wanting in concentration, earnestness, and power. He passed his life projecting and preparing for works which were never finished, nor even begun, heaping up prodigious masses of books, which lay about in such confusion that they were inaccessible, and in great measure useless. He argued all questions by authorities; and with him antiquity was the Law and the Gospel. He could see no beauty in anything new; . . . . so much so that when projects were taken up which himself had suggested, he turned round and opposed them. He proposed to the Royal Commissioners of 1832 the institution of a Professorship of Biblical Criticism, but when it was instituted in 1847, he opposed it in every way; . . . and I have, more than once, seen him in the Senatus enter his dissent against a motion when adopted, which had been suggested or proposed by himself. It is said he held, or had held, no less than seventeen different appointments of a public kind. At his death he was Principal of the University, Dean of the Chapel Royal, Chaplain to the Queen, Professor of Theology, Principal Clerk to the General Assembly, and perhaps something else. With all his faults, there was underneath a great kindness and geniality. He was a most amusing companion to those who had the appropriate tastes and plenty of leisure.† He was a great obstructive in the Senatus, yet we all had a secret liking for him. A very fine sketch appeared in the *Scotsman*, May 6, by J. H. Burton."

* Carlyle's Autobiography, p. 574.

† It used to be a favourite anecdote in the Divinity Hall, that some one had asked the Principal if Dr. Robert Lee was his son, and the Principal had exclaimed with fervour, "God forbid!" and that on Dr. Lee bantering him about this disclaimer, which had come to his ears, he replied, "I said so, undoubtedly—for you were born before I was married." The Principal had a dislike to being told he was looking well. "I'm glad to see you looking pretty well today," said a friend, meeting him walking briskly up the North Bridge. "I thank you, sir," was the rather testy rejoinder; "I am neither pretty nor well."

Before the close of the next year he had to record the death of another colleague, the Rev. Professor Robertson. He says, on 6th December, 1860 :—

"Attended the funeral of my colleague, Dr. James Robertson, Professor of Church History, who died last Sunday (2nd December) very unexpectedly. He was, I believe, a good, sincere, simple-minded man, though somewhat restless and speculative. For many years before the Disruption (1843) he was a leading debater on the Moderate side; and ever since he has been the most frequent, lengthy, and, I may add, oppressive, speaker in the General Assembly. He had wonderful fluency, without any elegance or choice of words; his speaking wanted simplicity, point, and terseness. He had no wit, and wanted everything like elegance or grace in a remarkable degree, to which defects may be added the Doric tones of his Aberdonian voice and his very provincial pronunciation. In spite of all this, the native force of his mind, his fluency, earnestness, and subtlety rendered him a remarkable speaker, as assuredly he was a remarkable man. He was, I believe, a good scholar—an excellent mathematician, knew something, or much, of many other sciences and subjects, and has for many years prosecuted with an energy, which has probably shortened his days, the questionable scheme for endowing chapels of ease. I am now the senior member of the Theological Faculty, Brunton,* Lee, and Robertson, all members when I entered, having gone the way which we must all follow. God grant us grace to do our work faithfully and well!"

Immediately after the Assembly rose, Dr. Lee set off for the Continent, and on the 10th of June reached Nice. "Joined my darlings, to our unspeakable joy, at Cimiez, near Nice."—"Spent from June till September at S. Dalmas pleasantly on the whole—our dear Bella's health, the chief matter, gradually improving."

"Reached Edinburgh, 24th September, having travelled

* Professor of Hebrew.

from Nice without having been in bed, or almost shutting my eyes."

He left his family at Nice for another winter. He contributed to "Good Words" (for 1863, p. 107) a very pleasant sketch of his "Summer in the Province of Nice," strongly recommending S. Dalmas as a "summer residence for such invalids as are wishful to remain, during summer, within reach of the coast, and to whom a dry, bracing, and moderately warm climate is beneficial." He was highly pleased with the manners and morals of the people, which contrasted very advantageously with those of Scotland. There were no paupers, no beggars, no bastards, no drunkards. "The youth of both sexes spend their lives under the eye of their parents; even in their sports and amusements the older people and the priests are present and look on. . . The parents also, though less learned in politics and in religious dogmas than some other populations, and though for the most part they are not able to read, and are little addicted to theological disputation, yet seem both to understand and to practise some religious and moral duties better than others who have enjoyed greater advantages."

The winter of 1859—60 passed amidst his usual activities. Being alone, he left his house in George Square and took rooms in George Street. "Very comfortable upon the whole," he says; "sometimes feeling the weight of solitude, valuing, as we generally do, our blessings when we have them not. May God be pleased to restore them to me."

He had in the last Assembly introduced the subject of Patronage, moving that a committee should be

appointed to consider the working of the "Aberdeen Act;" which, however, was not done. He now began to open the question in the Presbytery of Edinburgh; and in December,* he made a long speech upon it. He proposed that Parliament should be petitioned to take into its consideration the Aberdeen Act, with a view to passing a new law whereby the rights of the people, in the settlement of their ministers, might be more clearly defined, and also, if need be, extended.† He did not carry his motion, the majority of the Presbytery considering it "inexpedient and unnecessary" to petition Parliament; but in the course of his speech he sketched the amendment of the law which, he thought, would obviate the evils at present attending the exercise of patronage.

He proposed that if a majority of a congregation should object to the patron's presentee, the presentation should be held to be null, and the patron should present another. If the second was likewise objected to, he was to share the fate of the first. But here the congregation's right of absolute rejection was to cease. Three delegates were then to be named; one by the patron, one by the congregation, and one by the Presbytery. This triumvirate was to choose a minister, and their choice was to be final. This plan did not find much favour with the clergy when promulgated, though it was as feasible a proposal as any that had been made.

For some years the impression had been growing in the Church, that something must be done to amend the

* See *Scotsman*, 29th December, 1859.

† The Aberdeen Act is the Act 6 & 7 Vict. c. 61, which provides that if a presentee be unwelcome to a congregation, or to any member of it, objections of any kind against his settlement are to be laid before the Presbytery, who are to decide on these and on the case generally, and in the event of their sustaining the objections, the presentee is to be rejected.

existing law of the settlement of ministers. Some persons advocated a change, in the hope of luring back the dissenters, whose origin lay in the wrongs of patronage. Others took the higher ground of arguing for it on the Church's own behalf; inasmuch as the present law impaired her respectability and usefulness, tended to alienate the affection and confidence of the people, and was the notorious cause, as often as a disputed settlement occurred, of a protracted, expensive, and scandalous process before the Church Courts. While this process was going on, the parish in which it originated was necessarily kept vacant; the time of the clergy, obliged to attend constant meetings of Presbytery, was ruthlessly wasted, and the public, supplied with graphic newspaper reports of the proceedings, was now amused, now scandalised, by the evidence led, the temper exhibited, and the results arrived at.* These evils were, in Dr. Lee's opinion, directly traceable to the Aberdeen Act.

* The following is from a speech of Sheriff Barclay's, in the Assembly of 1857, reported in a pamphlet (Edinburgh, 1857), entitled "Patronage and Popular Rights:"—"In the case of *Firtingall*, the parish being one of the most extensive in territory in Scotland (with a population of 2500), has been kept without a stated ministry for nearly two years. There were held at least *twenty* diets of the Presbytery of Weem, necessitating some of its members to travel great distances (one of them upwards of twenty miles), thus leaving their own charges in a manner vacant for many days at a time. The presentee and people had each a talented law agent, who travelled upwards of thirty miles to attend each diet, and the presbytery also wisely took the services of a professional gentleman, to record the evidence. Thrice was the case before the Synod, now at Stirling, and then at Perth, when the aid of counsel was taken, as well as of law agents. At one Synod there were *twenty-four* appeals from the presbytery on points of evidence of the most critical character; and at another Synod, the number amounted to the jubilate climax of *fifty;* and, with incredible despatch, the greater number of these were settled by reversals of the deliverances of the presbytery. *Eighty-one* witnesses were examined, not merely from the locality, but some from great distances. The documentary evidence (some of a very doubtful character as legal evidence) was of relative size; and the volume of print, which it is to be hoped all the members of Assembly faithfully perused (not omitting the two Gaelic discourses), amounted to *two hundred and twenty-seven* large pages of close print. This Assembly is the second which has heard this unfortunate case of disputed settlement pled by eminent counsel at the bar. On the first occasion, the House unanimously affirmed the decision of the subordinate courts on the

The old law of the Church, on which this piece of legislation professed to be an improvement, had been that any parishioner might lay before the Presbytery objections to a presentee's "life, literature, or doctrine;" and of these the Presbytery were to judge. The Act of 1843 authorized objections on *any* ground personal to the presentee, and took into view the "number and character of the objectors." It hereby opened a much wider range of objection and of proof, and empowered the Church Courts to deal with two essentially incongruous elements of judgment—the objections in themselves, and the number and character of the objectors. The law was thus made vague instead of clear, by Lord Aberdeen's Act, which entirely belied the promise of its title, "An Act to remove doubts respecting the admission of ministers to benefices." The abrogation of this

relevancy of the objections; and this session, by a narrow majority of a thin house, reversed the all but unanimous decision of the presbytery.

"The *Kilmalcolm* case is equally instructive. This is the second disputed settlement, in succession, of that parish, which has been thus vacant for nearly two years. The first presentee having been rejected by the presbytery, his death prevented further proceedings. The right of patronage changed hands immediately after—a practice which, all must admit, ought to be prevented by law. The second presentation was laid on the table of the presbytery last autumn. Once more certain objectors appeared. *Twenty* meetings of presbytery were held on the case; twice has it been before the Synod of Glasgow and Ayr; and it has taken up, in one way or other, the greater portion of the brief space of this Assembly. *Forty-five* witnesses were examined, some from considerable distances. The whole proceedings form a volume of *one hundred and seventy-eight* pages of close print. The presbytery, who heard the evidence orally, almost unanimously rejected the presentee. The Synod, who could only hear the evidence read (which irksome task was said to occupy seven '*mortal* hours'), almost with equal unanimity admitted the presentee, and now this Assembly, on having the evidence submitted to them in print, and ably enforced at the bar, have, by a considerable majority, reversed the decision of the Synod, and again set up that of the presbytery. Consider how annoying such shifting of authority must have been, alike to every one concerned in this unfortunate case. The uncertainty of the administration of the law is not confined to civil courts, but assuredly is largely shared in by those of an ecclesiastical character.

"So far as regards the costs, it was quaintly given in evidence by a parishioner of Kilmalcolm, 'The objectors look to Providence to pay the expenses of the opposition.' I speak not rashly, but advisedly, in saying that the aggregate of the law expenses attending these cases, would most amply have purchased the patronage of both parishes, and left a handsome balance to the noble Endowment scheme."

Act, therefore, Dr. Lee considered the first step towards any escape from the grievances of patronage and disputed settlements. It was with this conviction that he insisted so strongly on an appeal to Parliament; knowing that, without the co-operation of the legislature, no redress could be obtained, and dreading any attempt at independent action on the Church's part, which might revive the troubles of the "Veto." But the Church Courts were possessed with a great dread of Parliament, and again and again refused to entertain the proposal that it should be appealed to.

He brought the subject forward in the Assembly of 1860, and was defeated, and again in the Assembly of 1861. On this occasion, in making his motion (which was lost), Dr. Lee, in the hope of conciliating opposition, did not urge the necessity of approaching Parliament, but occupied his speech rather with illustrating the faults and evils of the Act of 1843. He said:—

"I ventured to call the attention of the last General Assembly to the subject of Lord Aberdeen's Act, and for reasons best known to the members of that Assembly, there was a very small attendance. No doubt the members were engaged about something more interesting and more important; but for my part, I am of opinion that hardly any subject of more importance could engage the attention of this General Assembly; and I do most respectfully entreat the members to give it all that attention which its merits and its difficulty do undoubtedly require. There can be no doubt that this Act is deeply affecting the interests of the Church of Scotland, as well as the comfort of its ministers, presentees, and people. And if it be a good Act—if its operation on the whole be very satisfactory—it is very necessary that we should be assured of this, that we should reason the matter, so as to convince ourselves that those evils which we suppose to spring from this Act, do spring from other causes; and if on the contrary, we shall come to the con-

clusion that it is this Act which is the cause or the occasion of the evils which we all feel, then we may set ourselves in the spirit of wisdom and courage to devise, and if possible, carry out a satisfactory settlement. I confess that I was one of those who thought well of this Act when it was proposed and passed. It seemed to me then a likely means of meeting certain great difficulties which had existed, and to which I need not further allude. I imagined that some of its provisions which now appear to me most unwise and disastrous, were likely to be beneficial. I confess that experience and further reflection have totally changed my opinion; and I think there is no shame in any man confessing that experience has made him inconsistent in spite of himself, and that he is not proof against the lessons which history reads. It now appears to me that this Act is one of the most unwise, and one of the most pernicious, that ever was passed in relation either to the Church of Scotland, or to any other Church; and I now fully sympathise with the views which were held by both the leading parties in the Church at the time it was passed, who, agreeing in little else, agreed in this, that this Act satisfied the theory of neither party, and that its operation would be found practically to prove what it has been found to prove in our unhappy experience.

"In the first place, I beg to say that in my opinion this Act is unjust to all parties concerned. It is unjust to the patrons, to the people, to the presentee, and to the Church Courts; it exercises a pernicious influence upon every one of these. It is unjust to the patron, because it deprives him of his power, so that he cannot tell how much is left to him. It leaves him the responsibility indeed, but it takes away from him in most cases to a degree undefined, the power of appointing; and therefore, I believe, as might well be expected, there is hardly a patron connected with Scotland who does not disapprove of this Act; and, so far as I have been able to learn, there is not a patron who would not welcome some practical measure which, even by reducing his power nominally, would let him know precisely what amount of power remained to him. The patron does not know at present on what principle his presentee is to be judged; and he does not know whether the exercise of the patronage by him may not be the cause of raising up an opposition and hatred to the presentee, so that the people shall determine to

resist his settlement, simply because the patron has exercised his legal right, and not given it over to the people. This is a state of matters most unjust to the patrons, and I know that to many of them it is most distasteful and unsatisfactory. It is unjust to the people also. This Act has given to the people an increased power of objecting; but they do not and cannot know, what power they have, because the decisions of the Church Courts are so contradictory. If the people could hear the discussions in the General Assembly in cases of disputed settlement, instead of being enlightened as to the extent of their power, they would be perplexed and confounded. They would find an Edinburgh Doctor on one side saying that the Act gave them this privilege, and an Aberdeen Doctor on the other side denying this, and saying that it gives them another privilege. The Act is unjust to the people in many other ways. It tempts them to fancy that their mere standing out will exclude the presentee. It tempts them to write in newspapers, and advise each other to continue, and they will carry their point, as is evident from records which have been before this General Assembly. It tempts them to make declarations upon oath, which I do not say amount to perjury, but which, I am sure, these persons would not make in an unexcited state, and which, I hope, in their calmer moments, some of them, at least, would find cause to regret. I say the Act presents a temptation to the people which no law ought to present, much less any law concerning an ecclesiastical and spiritual matter. Further, this law is most unjust to the Courts of the Church. It puts the whole power of deciding as between the patron and presentee, absolutely in the hands of the Church Courts. That will do very well in times of democracy—that will enable Church Courts to flatter the democratic tendency; but in times of oligarchy such as have been seen in this country, the provisions of this Act would have answered equally well to give the people no influence whatever. And I ask any man to look at the provisions of this Act, and say whether they would not have served as well for 1788 as they do now for the opposite tendencies of 1861. The patron and presentee have absolutely no defence against the proceedings of the Church Courts, which can do in such cases exactly as they please; that is my greatest objection to this Act, and I say that no Act has a right to put into the

hands of Church Courts a power of this description. In many other respects also this Act is pernicious. It acts upon Presbyteries in the most calamitous way. In the first place, it involves them in endless expense and loss of time, which must be disastrous to their parishes. It gives the people the idea that ministers have nothing to do, when for weeks together a whole Presbytery will be occupied in hearing evidence as to whether a man's mouth be big enough for his tongue, or his tongue for his mouth, or other profound physiological speculations of that description. I made a calculation of the loss of time in the first Scoonie case in endeavouring to settle my friend Mr. Logie; and I found that, expressing the enormous consumption of time by all the members of that Presbytery in that case in the life of one individual, and allowing that one judge to work three hundred days in the year, and sit six hours a day in judgment upon this case, it would have required him between four and five years to determine the objections in the case of the parish of Scoonie. I do not know how many other years—what new cycles or centuries may have been added to this sum by the second Scoonie case; but I say that we are not entitled to support an Act which wastes our time in this way. Besides, this Act is expensive to Presbyteries, and ruinous to presentees. It also involves Presbyteries in inquiries that are not profitable or wholesome—that are hardly, perhaps, quite becoming for them. It is not a good thing for ministers to be too much lawyers—to be men too much acquainted with the quirks and quibbles of law; and so long as this Act is in operation, they must be so. The matters laid before them are of so technical and multifarious a kind that a Presbytery finds itself involved in a tedious and intricate litigation, and the bad effects of it have been felt in every Presbytery where cases of disputed settlement have occurred. I believe that in these Presbyteries disagreements, dissensions, perhaps factions, have been created, which may not disappear during the lives of the individuals who are the subjects of them; and that is a state of things not only uncomfortable to the individuals, but most pernicious to the Church and to religion. Then this Act injures Presbyteries, because it devolves upon them the duty of judging in cases, regarding which it is impossible for any man to judge. I maintain that a great proportion of what are called

objections under Lord Aberdeen's Act are matters which cannot be cognosced or determined judicially at all by a Court. They are matters of taste—of liking or disliking. I may have good reason for disliking, but it may not be a sort of thing which I can lay before a jury, or that shall commend itself to them as well founded. A learned Highlander in a case before the General Assembly has put the thing exceeding well. Being asked why he objected to the presentee in a case before us this year, this Highlander, called Lachlan M'Donald, I think, said—'I will not condescend upon any particular reason. All I have got to say is, that I don't like him at all, at all.' I think Mr. Lachlan M'Donald summed up the virtues of Lord Aberdeen's Act admirably in this declaration. The honest man disliked, and he knew why he disliked, but he felt he was not able to put his reasons before the Court so that they would be able to apprehend them, or to judge of the reasons why he disliked the presentee. Well, my great charge against this Act is that it puts all the Church Courts in a false position, because it is, so far as we can judge, an inconsistent Act. The Act, if it be not inconsistent, is so obscure that the Church Courts have never been able to make up their minds as to what its real intention and meaning is. But you, in administering it, must assume that the Legislature had some one intention, and you must give effect to that meaning of the Act which appears to you the more probable."

Dr. Lee here went on to refer to the favourable opinion regarding the Act expressed in the Assembly, and in Presbyteries, and noticed especially a speech recently delivered in the local Church Court, on the Scoonie case, in which, he said, the speaker illustrated his views on Lord Aberdeen's Act by the following illustration from the ordinary operations of commerce :—

"Suppose a man wants to buy a hat, it is the business of the hatter to provide hats which are about the proper size for his customers. He provides a great variety of hats of different sizes and of various forms. 'He is,' says the gentleman, 'the

Presbytery or Church Court, as it were, licensing the hats.' And when you or I want a hat, we go to the hatter, and among the articles which he has prepared we find that particular chapeau which fits our cranium, and becomes our own features. We are the judges of the suitability. Even so, under Lord Aberdeen's Act, the people are to judge of the suitability of the presentee. It won't do to say in general 'It is a good hat.' The people must say whether the hat fits them and is suitable for their physiognomy.—Now, this individual forgot two things. He forgot that when a man goes to buy a hat, there is not a patron to take the hat out of the heap and say, 'This is your hat. I have judged of that hat as a suitable one for your head, and proper for you to wear.' There is no patron in the choosing of the hat. And in the second place, he forgot that there was a party called the Presbytery or Church Court in whose hands the law put the decision whether the hat fitted. The want of these two elements, I hope, may convince this rev. gentleman, if he happen to be present, that his illustration is not a good argument, and that we have elements here, in connection with Lord Aberdeen's Act, which cannot be disposed of by these simple and interesting analogies.

"Well, how are presentees treated by this Act? Why, it is painful to think of it, and it is painful to think of the effects which it is producing on the minds of the young men of our Church. I have been fourteen years a Professor of Theology, and I have no difficulty in marking the deleterious effects on the minds of young men which this Act is producing. I have known more than one or two of the most promising students—men who would have proved an honour to the Church—betaking themselves to other avocations rather than run the risk of being set up to be badgered, as this Act permits, if not invites. I suppose you have all read the account of the slave-market at Constantinople or at New Orleans. One writer says that the man to be sold was put up on a sort of pedestal, and the seller went to him and told him to open his mouth, show his teeth, his tongue, and his eyes. When I consider the objections made to presentees, I am painfully reminded of the scene in the slave-market of New Orleans. When I see submitted to 'grave and reverend signiors' like ourselves,—'This man has a big mouth; he has a loose tooth; his tongue is too big for his mouth; his

tongue rolls about in his mouth; &c., &c.,'—when I hear such objections as these submitted to the General Assembly, I say the presentee is insulted, and I say the Act which permits such a thing insults us. A learned gentleman who has passed through the ordeal of a learned education—who has been accepted into another parish—is set up to be criticised, and I would say reviled—to have all his personal peculiarities paraded before the world, and circulated in newspapers all over the land. What must his family feel at his being subjected to such indignity? When I hear such discussions going on here I am apt to think I am in the horse-market. Why, many of the most devoted ministers would have been rejected under Lord Aberdeen's Act. Richard Baxter would have been rejected, because he himself admits that he never knew what health was all his days, and want of health would have been held by the Presbytery of Dunblane to have been a relevant objection.* Our great master, John Calvin, was never well—he was a sickly body, and he would have been rejected because he could not walk twenty-two miles in the day, as Mr. Ingram triumphantly established that he could do. Nay, the Apostle Paul himself confesses that he had some great infirmity, so that in weakness of the flesh he preached the Gospel. I have no doubt his physical condition would not have stood the medical inquiries to which we are subjected under Lord Aberdeen's Act. All this sort of inquiry is most unhappy, and to presentees it is most degrading. The Apostle Paul has told us what are the qualifications of a minister. He is to be grave, sober, of good repute, not to be given to wine, not to be greedy of filthy lucre, and to be capable of teaching; but he does not say how many miles a day he is to be able to walk, nor does he advert to any of those physical matters to which we have our attention so much directed. Is it not notorious that many of the most powerful men that have ever been in the world—men who have exercised the greatest influence on their fellow-creatures—have been men of weak constitution and who had many bodily infirmities and peculiarities, which would make us to reject them under this unhappy piece of civil legislation?

"Among the defences which have been set up for this Act, is

* This Presbytery had recently signalized itself in a protracted case at Dunblane.

the following :—'If patrons and presentees and Presbyteries all do their duty, this Act would be an excellent Act.' Now if everybody were just and peaceable, we should have no need of laws at all; if every patron were as wise as possible, and every presentee altogether what he should be, and the people all wise and virtuous, then we might dispense with Acts of Parliament, Acts of Assembly, and perhaps with Presbyteries and General Assemblies also. Or, if patrons and presentees and Presbyteries are worse now than they were before—what is it that has made them worse? Are patrons more arbitrary since Lord Aberdeen's Act came into operation?—it must be a very strange thing if they are. Are presentees more anxious to thrust themselves into parishes than before? Are the people more reckless and less wise than before? If they are, this Act must have made them so; for there is no other cause. I say it is a great piece of injustice in people to defend Lord Aberdeen's Act by an argument which is a libel upon the patrons, presentees, and Courts of this Church. Another argument used in defence of it is that by new regulations of the General Assembly, we may be able to make everything to work smoothly. I think, after we have been seventeen years labouring unsuccessfully upon regulations, men should be modest in asserting that the Church by its regulations can draw the teeth out of this venomous creature. If regulations are the proper cure, then the General Assembly and the Presbyteries of this Church must be very slow bodies, if after seventeen years' study of a little Act of Parliament contained in four or five pages, they have not been able to devise those regulations which shall carry it fairly and effectually out. Why, what are you to do with your regulations? Will you make your Act say by your regulations what it does not say in itself? If so, the civil courts will be down upon you. You cannot give to the people a power which the Act does not give them, and you cannot by your regulations make that consistent which is contradictory. I think that any man who turns his attention to the subject will see that the hope of making the Act workable by regulations is—I was going to say an absurdity—but it is pure imagination. Well, what are we to do? There are many expedients which might be adopted. It is a melancholy thing to think that all the divisions which have taken place in this

Church from the very beginning have resulted from our being connected with the law and exercise of lay patronage. Whatever opinion I may hold upon the subject in the abstract, I think no one can choose but be struck by that fact, and lament it. I rather think it is an accident of the Established Church. I rather think that as no Established Church ever existed without it in a peaceable state of society, so it is not likely that any Established Church will exist without it, at least in this country. I think it is essential that some way or other the Government of a Christian country should have some influence on the affairs of an Established Church; and I do not know any more legitimate way in which that influence can be exercised than by lay patronage, properly regulated and guarded. I am satisfied, and I think most of the members of this General Assembly must be satisfied, that it is quite in vain for us to attempt the abolition of lay patronage. I believe such a bill, if introduced, could never be carried through the House of Lords, as that august assembly is now constituted. What is more than that, I rather think it would be found that the legal advisers of the Crown would raise objections as to denuding the Crown of its privileges, which would prove fatal to the success of a measure in Parliament, even if you could bring to bear upon it ten times the influence which we can bring. Therefore, upon the whole, the attempt to abolish lay patronage as a means of getting out of our difficulty is out of the question. We must apply for the repeal of this declaratory Act, as it pretends to be—this Act which pretends to remove, but has created more doubts and difficulties than any one ever expected it should remove—'keeping the word of promise to the ear,' but most bitterly 'breaking it to the hope.' I have no hesitation in saying that I should very much prefer the state of things which existed before, than this present Act. I would rather have pure patronage exercised under that strong influence of public opinion which now prevails, leaving the Presbyteries their three old grounds of judgment—life, literature, and doctrine. That, in my opinion, would be a better constitution, more satisfactory on the whole, even to the people, incomparably better for Church Courts, for presentees, and for all concerned, than the present unhappy state of affairs. But I do not think we are driven to this necessity. There are many other schemes which, I believe,

have a reasonable prospect of being carried out. For instance, it might be enacted that the patrons give the people a leet of two or three from whom they might make a selection; or the people might give the patron a leet, from which he should make a selection: but I believe many objections are felt to both these proposals. Another idea has been very much canvassed, and a good deal misunderstood, and to which I confess myself that I personally am favourable, although I do not wish here to bring forward any proposal for the adoption of the General Assembly. I merely state this as a plan which has been approved of by a great number of persons whose opinions are entitled to great respect, and which was stated in this General Assembly last year. According to this scheme, it has been proposed that the members of a congregation shall have the power of vetoing the presentee of the patron once and again, and that the veto of the majority of the congregation shall disqualify the presentee. Many people are alarmed at this proposal, and say it is the old veto over again. Well, if it were, I would not object. I have the same quarrel with the veto which many people had, that it was illegal, and that it gave the people an ecclesiastical position. The scheme differs in being a civil right given to the people not depending on ecclesiastical relations, whereby they participate to a certain extent in the civil powers of the patron. I maintain that every argument, by which it may be endeavoured to be shown that the people should not participate in this right, may be equally urged against the patron having the remainder of the right. I say it is a natural thing that the people who have so deep an interest should have a part in the patronage, and should be entitled to act on their likings and dislikings without reasons given by them, because the patron gives no reasons for presenting. By this scheme the veto of the people would not in any way injure the presentees, as it would be merely the people saying to them, 'On the whole, we do not judge you suited for the parish.' Well, then, in the event of the third presentation of the patron being also objected to by the people, I should have a nominee appointed by the patron and a second nominee by the people, to whom, along with the Moderator of the General Assembly, the final appointment in such cases should be entrusted. This scheme has been submitted to some of her Majesty's present advisers, who thought it a very practicable and

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likely measure, and gave such encouragement to those who proposed it to them, as to lead them to believe, if the General Assembly would give them any indication of a desire to have such a measure, it was very likely it might be introduced, and in the opinion of some of them might very probably be carried through Parliament. It consists also with my own knowledge that many of the largest patrons in Scotland would hail this scheme with the greatest approbation. I saw a letter only a few days ago which was brought to me by the chamberlain of a noble lord who has a great number of patronages, in which he expressed his approval of this measure, as, in his opinion, a practical solution of the present difficulties. It is to me very clear that if the General Assembly come to the conclusion that this Act is intolerable, there is just one way in which we can get out of it. Whatever feeling in the abstract we may have of the desirableness of increasing the rights of the people in regard to the settlement of their ministers, you must be aware that they must be increased if any new Act is to be introduced. It is impossible for us to go back. We should lose the sympathy of the members of the Church. We must go forward, if we are not to stand as we are at the present moment. The attachment of the people to the Church is unquestionable; their concern in the appointment of their ministers is unquestionable; and the spread of education and the growing intelligence of the people entitles them to greater influence in the appointment and settlement of their ministers. But it must be regulated and ascertained. It won't do to give them an influence depending on the pleasure of Church Courts or the clauses of an unintelligible and contradictory Act of Parliament. In order to satisfy them, you must tell them what power and influence they are to exercise, as it is the feature of uncertainty which is the most galling part of Lord Aberdeen's Act."

Dr. Lee concluded by proposing the following motion :—

"Whereas many serious evils have been found to arise from the operation of the Act 6 & 7 Vict. cap. 61, commonly called Lord Aberdeen's Act, and whereas the General Assembly is persuaded that these evils cannot be remedied without some

Act of Parliament, and whereas it is desirable that the members of congregations should have secured to them by law some direct and defined power in the appointment of their ministers, or in preventing unacceptable ministers being settled among them, the General Assembly do therefore appoint the following committee to take the premises into their serious consideration, and to suggest by what means the above desirable ends may be most expeditiously and effectually secured, and to report to next Assembly."

A notable case of disputed settlement which occupied much of the time of the Edinburgh Presbytery during the early spring of 1862, brought the evils of the existing law home to his own business and bosom in a way which intensified Dr. Lee's desire for a change. This was the case of South Leith, in which a clergyman of no small repute with the reactionary party in the Church, and undeniably able and energetic, obtained the presentation, and was objected to by more than a thousand objectors. After a long and unedifying contest, he judiciously withdrew from the strife. These circumstances were the immediate cause of a correspondence between Dr. Lee and Sir George Grey, of which a portion follows :—

"EDINBURGH, *3rd March*, 1862.

"DEAR SIR GEORGE,

"I hope you will not consider that I take an unwarrantable liberty, if, presuming upon a slight acquaintance which I had the honour to make with you a few years ago, I venture to address to you a few words regarding the serious inconveniences and evils which result to the Church of Scotland, as well to the parishioners of particular parishes, as to the Church Courts, from the manner in which the patronage of the Crown has been exercised of late years. You must be well aware that we have before the Church Courts incessantly cases of disputed settlements, *almost the whole of which are cases of Government presentations*. The private patrons, almost without an excep-

tion, so manage as to satisfy the parishioners, and at the same time to make good, or at least not bad appointments; whereas the Government has been so unfortunate as not only to dissatisfy the people, but to give them too good grounds for dissatisfaction. As a member of the Church Courts, and taking a considerable share in their business, incurring also some responsibility in regard to their decisions, I hope you will pardon me for venturing respectfully to represent to you the great hardship which the members of those courts are subjected to in consequence of the proceedings resulting from the Crown appointments to Church livings. We are involved in perpetual litigations, which are laborious, vexatious, and expensive, and often result in permanent feuds between members of the Courts, create and perpetuate dissensions in parishes, and occasion manifold scandals and other evils, the recital of which might be wearisome.

"All this might appear tolerable if superior men were promoted. But I feel some confidence in asserting that, *in not one single instance*, have the parishioners raised opposition to a government presentee, without good and substantial reason, either attachable to the presentee himself—which has generally been the case—or to the manner of his appointment. And it is sad that the Crown should offend the people by sending them clergymen who are notoriously in no way worthy of being distinguished by its patronage.

"I do feel myself, as others also do, in a very disagreeable and painful position, in being constrained to decide in the Church Courts that a person is unsuitable, whom a Liberal Government has appointed, and to endeavour to procure his rejection. Hitherto I have generally given my support to presentees, though often with much hesitation, in the hope that some system might be adopted which would secure better appointments.

* * * * *

"I believe the only permanent and effectual remedy for the present unhappy state of matters is the repeal of Lord Aberdeen's Act, and the giving to the people a substantial and defined share in the patronage. Nothing else will content the people, or deliver the Church Courts from their present embarrassment; but the evils now experienced might be greatly

lessened, if Her Majesty's Government would adopt some rule and system, and adhere to it. Almost any *system* would be better than the present way of proceeding, under which really superior men—and we have some such—find no encouragement; men of liberal feelings have no chance, and no one knows what to expect, or what to do in order to get preferment. If Government dispensed its patronage upon the principle of encouraging young men of superior talents and attainments, a stimulus might be given to these qualifications which is now utterly wanting, and ignorant vehemence and noise would not carry all before them, as they do now. Should you desire it, I shall be happy to submit for your consideration some suggestions which have occurred to me on this subject. I do assure you, Sir George, it is time that the subject were seriously considered, for it is much to be feared that this great power is not producing the results which it ought to produce; while it brings, as it has been managed for several years past, nothing but reproach to Government.

"I hope the reasons stated in the beginning of this note will excuse the urgency with which I venture to write. As in various ways a large sufferer from the mischiefs of the present state of things, I hope you will pardon the liberty which I thus take."

SIR GEORGE GREY TO DR. LEE.

"HOME OFFICE, *March* 7, 1862.

"MY DEAR SIR,

"I beg to acknowledge the receipt of your letter of the 3rd inst., on the subject of the manner in which the Church patronage belonging to the Crown in Scotland is administered. I fully appreciate your motives in addressing this letter to me, and I shall always receive with the respect due to them any observations or suggestions coming from you on such a subject.

"I feel it necessary, however, to make a few remarks on what you have said.

"So far from my being aware, as you assume me to be, that for several years you have had before the Church Courts, incessantly, cases of disputed settlement, almost the whole of which are cases of Government presentees, your letter is the first intimation I have received of this fact. I do not know what

has been the practice of other Secretaries of State who have had the administration of Church patronage during the last few years, but for myself I endeavour, in every case in which I have to make an appointment, to ascertain the wishes of the parishioners, and to satisfy them when this can properly be done, and had it not been for your assertion to the contrary, I should have believed that in the great majority of cases the appointments had given satisfaction.

* * * * *

"With reference to the opinion you express that it would be expedient to repeal Lord Aberdeen's Act, and secure to the members of the Church a defined and substantial share in the patronage, I need hardly say that I share your regret that this course was not taken at a time when it might have prevented the disruption of the Church. I stated my views on this subject at the time in the House of Commons, and I retain the opinion that had the veto then asked for been conceded, the members of the Church would have been satisfied with the check thus given them on patronage, and the divisions which unhappily followed the rejection of this proposal have been avoided."

DR. LEE TO SIR GEORGE GREY.

"EDINBURGH, *March* 14, 1862.

"DEAR SIR GEORGE,

"I thank you for your kind permission to write to you on the subject of the Church Patronage in Scotland—a privilege which I hope I shall not abuse. I entreat you to believe that I have no personal objects in view in thus presuming to trouble you, or any ends to serve but the contentment of the people, the peace of the Church, and the credit of Government. Knowing how wishful you are to discharge this not unimportant trust for the benefit, as well as to the satisfaction, of the people, I count upon your indulgence if I shall answer your letter of 7th current in some detail.

"First, as to the *incessant recurrence of disputed settlements.*

"Since the year 1845 there have taken place some eighteen or twenty of these—that is, this number has been brought before the General Assembly, on appeal from the inferior Church

Courts ; a considerable number besides, not easily ascertainable, but ranging from half-a-dozen to probably ten or eleven, terminated without their reaching the General Assembly, most of them by the presentees giving up their presentations. Some of these were cases of great hardship for the presentees.

"Of the cases which have come before the General Assembly, *ten* have occurred since 1854, showing that the evil is not diminishing; and the last General Assembly (1861) had *before it no less than three cases.*

"Of these ten cases of disputed settlement *six* were upon Crown presentations, and *four* upon presentations by private patrons ; as, however, *one* of the latter should have come under the common law of the Church, and not under Lord Aberdeen's Act, the real number of cases under that Act since 1854 is properly only *nine*, of which *three* were upon private, and *six* upon Government presentations. That is to say, the Crown, which possesses about three hundred of the presentations, had twice as many disputed as all the other patrons together, who possess among them from seven hundred to nine hundred, or about three times the number. I think you will agree with me in allowing that there must have been some mismanagement when the Crown presentations in comparison of private presentations have thus been disputed in the ratio of nearly *six* to *one.*

"Permit me here to observe that the number of cases before the General Assembly, or even before the inferior Courts, by no means represents the amount of dissatisfaction that has been excited. The feeling among the people needs to be both very general and very strong, before they can be brought to subject themselves to the trouble and expense which such prosecutions involve. Another remark may here be added. Several of the patrons having the largest number of Church livings in their gift, such as the Duke of Buccleuch, the late Earl of Eglinton, and others, have never had any disputed settlements, which is the more remarkable, since some of these take the matter very much, or altogether, into their own hands, and consult the parishioners on the subject of their nominations very little, if at all.

"I think, Sir George, this statement will satisfy you that I spoke not without reason, when I said that we had been

afflicted with incessant cases of disputed settlements, the great majority of which were upon Government presentations. That you may understand what serious affairs these are to all concerned—to the members of the Church Courts, as well as to the people and to presentees, some of whom have been ruined by them—I take the liberty to transmit the 'print' in the Dunblane case—one of the Crown presentations which were decided by last General Assembly. The South Leith case, now proceeding, will probably prove not much less laborious, vexatious, and expensive; and though we are labouring to introduce some changes in the proceedings, so as to lessen the expense and save time,* I cannot pretend to be sanguine that much in that way will be effected.

"It is natural to ask, What has excited so much opposition in the case of *Crown presentees?* A question very easily answered. This opposition is to be accounted for, first, by *the want of uniformity* on the part of Government in managing the Church patronage; and secondly, *by the kind of appointments* which have often been made.

"As to the first, not only have different Governments pursued different systems, but different Secretaries of State under the same Government; and even the same Home Secretary has followed one rule in regard to one parish, and a different in regard to another. Though you have acted upon a uniform rule, this has not been done universally; and a considerable number of the disputed cases have sprung from the indignation of the people that were not allowed to recommend, as their neighbours had been allowed to do, but had a minister sent them of whom they knew nothing, except that he had rather a poor reputation. This was the real *sting* of the proceeding. If the general rule had been departed from in favour of a clearly superior man, the parishioners would very soon have pardoned Government for doing them a benefit, though it had hurt their vanity.

"But in most of the cases in question, the persons presented were either inferior men, or were in some respects notoriously unsuitable for the charge, or, which is almost equally galling to the people, men immeasurably superior could easily have been found. This was the case in the —— appointment, and is so in

* Especially authorizing evidence being taken in shorthand.

that South Leith case which is now before the Presbytery of Edinburgh, and has given occasion to my venturing to intrude upon you with these remarks.

* * * * * * *

"As a conclusion to this long statement, I hope you will bear with me if I presume to offer a word or two upon what appears to me likely means of preventing the evils complained of.

"I have already expressed the opinion that the Aberdeen Act will, so long as it stands upon the Statute Book, continue to prove, as it has hitherto done, the source of manifold inconveniences and evils to the Church of Scotland, and indeed to the community. This is the general opinion, which the clergy would at once express, unless they feared that something more terrible might be enacted.

"The radical vice of this statute—its virtually transferring the patronage to the Church Courts—is only gradually disclosing itself to people's minds. In a few years this will be acknowledged by everybody. Under its operation, the patronage is gradually slipping out of the hands of the patrons—not into the hands of the people, as many imagine—but into the hands of those who are empowered to decide upon all objections upon any grounds they please, without question or control. This Act continuing in force, the most that can be accomplished is in some measure to mitigate evils which cannot be removed. With that view, I beg to submit the following suggestions:—

"1. That the same mode of proceeding should be followed in all vacancies.

"2. That the parishioners should be given to understand that a reasonable time—say six weeks—shall be allowed them to recommend a minister; at the expiry of which period, if they have not recommended, the Government will appoint.

"3. In all cases in which counter petitions or other circumstances prove that there exists a considerable difference of opinion in the parish, the Government will take the appointment into its own hands.

"4. That no appointment whatever should be made upon any petition or representation, however unanimous, until strict inquiry has been made respecting the character, ability, and fitness of the individual. I could supply most abundant evidence of the absolute necessity of this precaution were it not evident of

itself. Certificates habitually parade a man's *recommendations;* but many talents and great acquirements may all be neutralised by some one vice, fault, or defect, which no certificate ever notices or hints at, and which can only be discovered by confidential communication with parties who have means of information, and who are sagacious enough to discern and honest enough to state the real facts. Such persons, I believe, can always be found.

"5. The last observation I shall obtrude is this—Though it is desirable that the people should be satisfied with presentees, it is yet more so that these should be men with whom they ought to be satisfied; and therefore, a presentee, found to be a silly, ignorant, violent, fanatical, or otherwise objectionable person, should be set aside without hesitation, however unanimous may be the petition of the parishioners in his favour. If, in such case, the purity of the patron's motives be vindicated by the appointment of an unquestionably superior person, the Church Courts will undoubtedly support the patron; and in a very short time the people themselves will probably applaud what he has done. For it is curious, and also important to remark, that whatever uproar may have been excited by unpopular or arbitrary appointments, *eventually no injury has ever been done to the Church in any one instance, in which the presentee was really sufficient and suitable.* The dislike and opposition of the people to a presentee never prove inveterate or even very obstinate, unless the presentee himself merit dislike and opposition. This after all, therefore, is the main matter. But how to discover the most worthy objects of the Government patronage is a question too extensive to be ventured upon at present.

"I do feel that I require to apologise for the length of these remarks. Hoping that you will kindly excuse them, I have the honour to remain, &c., "R. LEE.

"P.S.—There is another observation, which appears to me so important that I cannot refrain from stating it, notwithstanding the length to which these remarks have already extended.

"It appears to me that presentations to the more valuable livings, which are generally in towns and populous parishes, should as a rule not be given to Licentiates—or Preachers, as they are popularly styled—that is, men who have never had a charge or been ordained; but to ministers of poorer and smaller parishes, in which they have distinguished themselves by ability

and diligence. It would prove a great stimulus, if the Crown would systematically promote to its wealthier livings deserving clergymen who now hold its poorer livings. Not to mention that this practice would virtually double the patronage of the Crown, it would both secure experienced and tried men for important parishes, and would allow the younger men to make proof of their capacity in a less laborious field, and where failure would prove less pernicious. Some of the larger patrons act frequently upon this principle—one at least systematically—and, I believe, with excellent effect. Even if the people were allowed to nominate, they might be required, or at least recommended, to confine their attention to that class of clergymen—a restriction which would save them from many mistakes.

"R. L."

We shall find him often again arguing in a similar strain. His engrossment with the question of improved Church services never closed his mind against the consciousness of the need of other reforms, or engaged him so entirely that he could not give time or thought to these.

By-and-by he gained a majority to his side in his own presbytery in the discussions on the Aberdeen Act and Patronage; and these became leading subjects of debate in every General Assembly.

He now found it necessary to employ an assistant to aid him in his parochial work, and also to relieve him, occasionally, of part of the services in church. Always eager to do whatever he thought it his duty to do, unaided, he worked on alone as long as he could; but he found, at last, that the effort was too severe. He assigned the visitation of the parish to his assistant, and required that this should be diligently attended to. He undertook, for his own part, the pastoral charge of the congregation, gathered from all parts of Edinburgh, and

the usual pulpit duties, in which he accepted but little help. It was common to represent him as negligent of his pastoral work; but the fact was that his fidelity and thoroughness in it were in Edinburgh, as they had been long before in Campsie, an example to his brethren. He felt, latterly, that one of the great grievances of the frequent interference which he suffered from the Church Courts, was that he was hindered thereby from his ministerial avocations. "Looking behind and before," he writes in his Diary, on one occasion, "I consider it is my duty henceforth to avoid, as much as I can, Presbytery, and other such business and discussions, and set myself to my pastoral and pulpit and professional duties, with as much steadiness as may be."

Commenting upon his class, of session 1860—1, which he pronounces unusually large, but by no means unusually excellent, he says, "I am conscious I have not done my own part so well as usual, in some respects. This has arisen chiefly from the quantity of other business I have had on hand. In future this must be avoided. A man who has two such offices on hand as I have, must, unless he would spoil both, keep himself free to attend to them. Upon the whole, however, I have got through a wonderful amount of work this winter; among other things my volume of Family Prayers is written and in the press."

In addition to his own ordinary Sunday's services, he during winter undertook to preach a series of sermons to the working classes. These were delivered in the Gaelic Church; and dealt, chiefly, with questions of social life and duty, treated from a Christian preacher's point of view. They attracted crowded congregations.

The prevalent indifference of the working classes to the services of the Church touched him keenly. He believed it to be owing, not so much to any deep-seated irreligion of theirs, as to the generally uninteresting character of the services which they were expected to attend. Long doctrinal sermons, unpremeditated prayers, and mediocre music deserved much of the blame which was laid at the door of the labourer and mechanic. Judging thus, he wished to see whether a service moderately long, with good singing, read prayers, and a sermon practical and plain, dealing with the facts and duties of life, could draw these grudging and infrequent worshippers to the Church. The experiment in his hands—and no other minister in Edinburgh tried it—succeeded admirably.

During the summer of 1861 bad tidings of his only son's health in India began to keep the family at home anxious. In autumn he had to get sick leave; and Dr. Lee and his second daughter went to Nice to meet him. Dr. Lee returned early in December to resume his class and other work, having left his son and daughter to winter at Nice. "I am glad to inform you," he writes on 14th December, to his friend and former student, the Rev. W. L. McFarlan (then minister of Tongland, now of Cupar), "that George is so decidedly better that I could leave him and Isabella, who accompanied me to Nice, without any anxiety. . . . . Lavington is an amusing as well as a learned writer, and his book is in many respects a valuable one, as a contribution to a theory and history of revivals; but surely there is something beneath all these extravagances and excesses—to be both explained, and regarded with respect—not to

say reverence. I sympathize in your feelings regarding the position of a country minister, but I hope you may not remain very long in so remote a situation; and while you are there, I know you will do your duty with animation, fidelity, zeal and wisdom, and make the parish *animated* with your thoughts and feelings. To be *king* in Tongland is something, or to be a king and prophet anywhere. I am glad to hear of your Institution. I have long known about Mr. ——. Never mind grammar, if he has sense to speak, and speaks it. . . . . It is quite essential for the vigour and health of your mind that you turn your attention to other subjects than theology. Having just returned, I know nothing of home affairs. All the world abroad stands agaze at the French Budget and the American war, and policy,—if it be policy and not mere mob violence speaking by the mouths of the rulers of the Republic."

Writing in his Diary on January 1, 1862, he says, "The most notable private event during the past year in our private history has been the death of Lady Murray, and in public that of the Prince Consort. Who knows what events this year may carry in its bosom? 'The Holy Ghost testifieth' that in all our years—and especially as life advances—vicissitudes and painful bereavements await us. So be it. God so appoints, and therefore it is well. Even then we shall sing, 'Goodness and mercy have followed me.'"

Was this written with the dull foreboding that sometimes chills the spirit with an inexplicable fear of undefined trouble to come? If it was, the next entry but one, in his Diary, too truly fulfils his dark presentiments.

"Maggie" was his eldest daughter, and had married, as we saw, in October, 1858, Mr. Lockhart Thomson.

"*March* 26.—This morning our dearest Maggie departed this life, after a tedious illness, which she bore with wonderful fortitude and patience. I feel much sorrow that I did not see her in her last moments to whisper the words of Christian hope. But no doubt she heard them whispered by a more persuasive and cheering voice.

"Her departure leaves no sting, except the loss of her to us and her husband and infant child. She was so good, so talented, so sympathetic, so loving and true, that the heart clung to her in perfect confidence and love. The eldest of our children, she had a peculiar hold upon our affections, and her sympathetic nature rendered her to me the object of perhaps too strong an attachment. Oh God, afflict not in thy wrath the short allotted space of our pilgrimage. Remove thy stroke away from us. Let us not be consumed by the blow of thy hand.

"Three of our five children remain, of whom two are in delicate health. Lord, have mercy upon us. Have mercy upon us!"

"*March* 29.—Dearest Maggie's funeral. *Juxta sororem dormit.* 'Truth' by 'Hope.'"

"*May* 27.—Our dear children, George and Bella, reached us from London this afternoon. George is very poorly, and Bella not strong. Oh, God! be merciful to them and to us also, lest we have sorrow upon sorrow. And let our disappointed hopes in this world lead us to hope in Thee."

After his daughter's death he wrote to his friend Mrs. Bruce:—

"My Dearest Mrs. Bruce,

"I begin my melancholy duty of acknowledging the kindness of friends with writing two or three words to you, the kindest and dearest of all our beloved darling's friends, and whom, I may truly say, I regard with the affection of a parent. Our warmest love and thanks to you and your excellent husband. You have both made yourselves very dear to our hearts,

and laid us under a deep load of gratitude, which we desire to repay in the only form worthy of it and acceptable.

"May God richly bless you both and your dear children, and long spare you to each other, to bless each other, and to do good to all around you. The sun has just begun to shine, or rather to promise that he will shine, upon the grave of our child, as well as upon the living, who know that they shall die; but 'this is the promise He hath promised us, even eternal life.' And we will think, by his grace, more of this, and less of the poor life, which is often such a burden while it lasts, and is so easily extinguished.

"Yours, with true affection,

"ROBERT LEE."

DIARY.—"*June* 2.—This evening Dr. Bisset, the Moderator, concluded the Assembly with an extraordinary address, approving innovations and suggesting more. I never expected to hear such things in the General Assembly, much less from the Moderator's chair. Though I have taken a considerable part in the discussions and business of this General Assembly, I have not enjoyed it as usual, and have almost taken the resolution to abstain from such in time to come, if I am spared. But we cannot judge what may be our duty in new circumstances. Lead us in the future, O God, by thy good spirit, and pardon all the errors and sins of the past, through Christ Jesus our Lord. Amen.

"My motion against the Aberdeen Act was lost by a majority of 145 to 91. Last year the numbers were 60 to 30."

Among the other questions on which Dr. Lee spoke in this Assembly was one which he regarded as of great moment, and which he considered had a close relation to the question of patronage—the education of the candidates for holy orders. He obtained the appointment of a committee on the subject, and said in the course of his speech that he had always advocated this opinion, that there ought to be some body appointed by the General Assembly, and divided, if they would, into committees

at the different University seats, to take students on examination previous to licence, and he would do that even though they preserved to the Presbyteries all their present functions. By-and-by, said Dr. Lee, the Assembly would have to discuss the operation of an Act which, whether for good or bad, was producing striking effects —Lord Aberdeen's Act; and it was perfectly clear that under whatever system of appointment of ministers—whether absolute patronage, modified patronage, or popular election—no good could be done unless they could take some effectual method of preventing ignorant and incompetent men from being licensed. It was a very curious fact that sometimes the most ignorant students became very popular as ministers, while others whose acquirements were far above mediocrity—men who were learned, and men who had shown their possession of a conscience by the diligence with which they had prosecuted their studies, were very often, through modesty or constitutional defects, hardly able to pass muster decently. The result was that the ignorant man, when he got up into the pulpit, carried away the applause and the parish from a man in comparison of whom he was not once to be named. Neither the patrons nor the people could defend themselves against this state of things, and the Assembly must defend them. They must defend the Church against ignorant men. It was not enough that a man be eloquent, for if he be ignorant, prejudiced, and narrow-minded, the more eloquent he is so much the worse, for he has only the power of inculcating his own narrow and bigoted notions. He thought the Assembly should set itself to remove this evil. Nothing cou'd be more unconstitutional than for them to allow ignorant

and half-educated men to ascend their pulpits; and he trusted the Assembly would not be deterred by any obstacles of a technical kind from doing, in the most effectual manner they could, what was essential for the prosperity of the Church and for the edification and instruction of the people.

In the address which so astonished Dr. Lee, the Moderator, with that real liberality and tolerance which has always distinguished the highest section of the Moderate party, advocated reform of the modes of worship; and not only this, but also pointed out the advantage of a revision of the formulas of the Church, with a view to their being made "more simple and more comprehensive." Dr. Muir and his friends were scandalized and aggrieved; but Dr. Bisset's words did good. They helped to prepare the arena for agitation in favour of a simplification of the terms of subscription to the standards of the Church—an agitation which has as yet only reached its first stage, but is destined to go on and to have large results. Neither Dr. Bisset nor Dr. Lee could expect to see any remodelled edition of the Confession of Faith. Though that document is neither Catholic nor National, it is the accepted standard of the National Church, which for its sake threw aside her own simpler and more liberal symbol of 1560; and it is difficult and hazardous to meddle with the accepted standards of an Established Church. But they desired a relaxation in the strictness of the terms of subscription. Dr. Lee took up the subject boldly, and in the introductory address to the Theological students in November of this year, he enlarged on the cognate theme of the inadequacy of the theology of the seventeenth century to be the sole guide

or authority for the nineteenth, with a frankness which, to some of his hearers, appeared to be excessive.

"In some respects," he said, "the divines of the seventeenth century, with all their unquestionable merits, and the progress which had undoubtedly been made in some departments, were even inferior to those of the sixteenth century. In liberality of sentiment, in breadth of view, in genuine Catholicity of spirit, it is, I apprehend, impossible to doubt that the great leaders of the Reformation were far superior to their successors of the next century, who were more split into mutually hostile factions, and whose minds were both embittered and narrowed by those protracted controversies (often about obscure, and sometimes trifling matters,) in which they consumed their lives. In the middle of the seventeenth century, *i.e.* the period when our present Church standards were framed, the critical study of the Scriptures can hardly—if we except the works of Grotius—be said to have commenced. The Hebrew language had not been critically studied, and was indeed only imperfectly understood: its affinities to the cognate dialects had not been investigated; neither indeed was the Greek language itself critically understood—least of all the Hellenistical dialects—whose peculiarities were so little comprehended that a century later it still remained a controversy whether the New Testament were not written in classical Greek. The doctrine of the Greek article had not been laid down or defined, and a thousand proofs may be found in our Authorized Version that the translators had only loose and general notions on the subject.

"The sciences which touch upon Biblical subjects, even the oldest of them, were in their infancy; and most of them remained, long after, unborn. Even those which bear most directly upon the contents of the Scriptures were still undiscovered. Geology had told those learned theologians nothing of the history of this globe; astronomy had not unfolded to them the sublime mechanism of the heavens; nor had physiology taught them the bodily structure or physical functions of that wondrous creature, who is the subject of religion (as he also has been made the medium of its communication), or the wonderful interdependence and mutual influence of mind and body. Having no light from Science to throw upon

the language of Scripture, the great theologians who composed our standards of belief supposed that this globe was in their day only some 5650 years old; that the sun, moon, and stars had existed only two natural days when Adam and Eve were created; and that the earth was only five such days older than man; that there was no death in the world till it was introduced as the consequence of Adam's sin; and they would have denounced as the deadliest heresy such doctrines as have now been established, and are universally accepted, on these subjects. Nay, they would have earnestly exhorted the civil magistrate to punish—probably with death—any one who maintained blasphemies like these. For, among the things they had not discovered, this also must be numbered, that those errors which do not hurt society, but lie between man and God (such as theological doctrines), are not proper subjects of penal laws, finings, banishment, incarceration, and death. This discovery also remained yet to be made—at least to be accepted—that God is able to punish and destroy His enemies without our help, and to judge them without the aid of our wisdom and discrimination. Though they denounced *toleration* as a sin—yea, as the worst of sins, and the most dangerous of errors—the world has grown more humane and wiser, in spite both of the warnings and cursings of its teachers.

"Not only so, but in that fundamental knowledge upon which the whole superstructure of theology rests, those venerated theologians were not only in complete ignorance, but in absolute error. They had adopted the fond imagination of the Jews—that by a standing miracle (for nothing less would account for it) the text of the sacred writings had escaped all mutilation, error, corruption—depravation of every kind; that it continued immaculate in the latest transcript as it was when it came from the hands of the original author or his amanuensis. . . .

"We have, therefore, gentlemen, a vast number of things to learn which we cannot learn from the theologians of the seventeenth century, or from any of their works, however useful and valuable these may be in their own place. Without question, we who know so much more of the *works* of God, have the means also of understanding far better also His Word, than they could possibly do who wanted this aid. Since their days,

besides those already noticed, many other branches of knowledge have come into existence. Criticism, literary and historical, was well nigh unknown. History itself had not been written, though the materials of it existed; indeed the principles on which it should be written had not yet been discovered. The study of antiquities had not yet thrown its broad light upon ancient languages, institutions, manners, modes of speaking and of thinking; nor were the geography and physical conditions of those countries which were the cradle of Revelation known, except in the slightest and vaguest manner. . . . Terror of changes, however salutary and even necessary, is an old and not always an honourable weakness. '*Sic trepidant immisso lumine Manes!*' Light alarms *Hell*, which is the kingdom of darkness; it should not spread dismay among Christians, who are children of light and constitute the kingdom of heaven. They who know nothing but the old learning are naturally alarmed, lest the new should teach something which they have been taught, and which they teach others, is false, dangerous, and destructive. They would 'stand firmly upon the old ways,' and 'contend earnestly for the faith which was once for all (ἅπαξ) delivered to the saints.' But this is the whole question, whether the ways they call 'old' be not really 'new,' and whether a thousand propositions which they comprehend in 'the faith,' be not mere opinions and speculations (even if correct opinions), which never were delivered to the saints at all, or heard of in the Christian Church for many centuries; and which never should have been made, and cannot reasonably be accounted, points of faith, since no man's salvation in any degree depends upon his believing, rejecting, or doubting, any or all of them. The Christian Faith is that which a man must believe in order to be a Christian—that which he cannot deny without ceasing to be a Christian—and not every deduction which may be even legitimately drawn from that; much less the whole body of dogmas which controversial ingenuity, sectarian vehemence, party spirit, and factious zeal may have piled up mountains high upon the one strong but simple foundation, *Jesus the Christ*."

The exposure and condemnation of this error of idolizing the seventeenth century, and setting up the Con-

fession in the seat of the Bible,* recur from time to time in his writings about this period. The evil, and the dangerous tendency of it, were evidently weighing on his mind. In an article on Mrs. Oliphant's "Life of Irving," in the *Scotsman*, May 31, 1862, he says:—

"In dealing with his case, as with the cases of Campbell of Row, and other reputed heretics of the time, the courts of the Church have been thought by many—and Mrs. Oliphant ably supports the same view—to have repudiated utterly their Protestant character. They refused to permit the questions at issue to be argued and judged on the ground of Scripture, and insisted that they should be determined simply according to the Confession of Faith. But that Confession itself condemned and renounced the claim of any such authority. It laid this down as its fundamental principle, *that all questions of faith and practice were to be judged by the Scripture and by nothing else.* And all the Reformers held that this was the very principle by which they had been separated from the Church of Rome. Accordingly, the Scotch Reformers invite criticism of their Confession—they profess that they are ready to change anything in it which any brother will 'charitably' show them not to be consistent with that which all Protestants then acknowledged as the only rule of faith. While we pity Irving —implicated in such a tissue of delusions, and involved in such a mass of anxieties—we may pity yet more a Church which professed ultra-Protestant principles insisting upon dealing with him in the very manner in which Catholic Councils had always proceeded in dealing with Protestant martyrs, whose claim it was that they should be judged by Scripture and not by the traditions of the Church. But the Church of Scotland followed the example which its founders repudiated, and insisted on judging these alleged heretics simply according to its Confession—*i. e.*, its own tradition. The apology for this inconsistency was, that *the Church is established,* and the Confession of Faith has the

* Dr. Chalmers, in his day, noted the same evil. "I look on Catechisms and Confessions as mere landmarks against heresy. It's putting them out of their place to look on them as magazines of truth. There's some of your stour orthodox folk just over ready to stretch the Bible to square with their catechism."—*Hanna's Life*, iv., p. 456, 1st ed.

sanction of the law of the land. They who so hold should no longer denounce Erastianism, of which this is the grossest of all exemplifications. Does the Church, by being established, cease to be Protestant? Does it, by that connection, denude itself of the essential powers and duties of a Christian Church?"

The suggestion of the same line of thought runs through the articles which he wrote during this summer on the cases then before the English Ecclesiastical Courts; on Dr. Lushington's judgment in the case of the Bishop of Salisbury *v.* Dr. Rowland Williams; and Mr. Fitz-James Stephens' speech in defence of Dr. Williams before the Arches Court;* in which admiration and envy of the wider liberty of thought allowed in the English Church mingle with half-indignant regret at our own louder pretensions, less tolerant tribunals, and hastier and less judicial judgments.

"It is only among the Lutherans of Germany and the Episcopal clergy of England, that much freedom of thought in theological matters has ever been manifested; and in both cases the Church, as a Society, is as entirely in subjection to the civil power as Grotius, Selden, or any other Erastian could desire. The Church of Scotland possesses, as a body, incomparably greater liberty than either the Church of England or perhaps any Established Church in Europe; but her clergy enjoy less freedom of thought than is possessed in any other Established Church—and probably they use even less than they possess; while among the non-Established sects the absence of all State control and interference co-exists with an almost absolute ecclesiastical bondage among the clergy.

"This is a condition of things which ecclesiastical demagogues are never weary of denouncing. They commonly talk of it as profane, and even as 'a deposing of Christ from his Throne,'

* *Scotsman*, 7th July, 11th Sept., 1st Nov., 5th Nov. I find that in the course of the summer and autumn, 1862, he contributed about a dozen elaborate articles and leaders to the *Scotsman*, on literary and ecclesiastical subjects.

'denying his Headship,' and employ other terrible but unmeaning phrases. The explanation of that apparent contradiction is this—the clergy, when left to act without State interference, are tempted, almost driven, to prove spies and inquisitors upon each other in matters of theological opinion, and to oppress each other by way of vindicating their own orthodoxy and signalising their own zeal. Clergymen, as Coleridge has said, fear the imputation of heresy, as soldiers the imputation of cowardice; and to treat with leniency one who is charged with the great theological crime, is to make oneself almost or altogether as criminal as he. Nor is it much of an answer to reply, that individuals voluntarily enter this or that Church, knowing or thinking they know its doctrines, and that, when they find themselves to be at doctrinal variance with the ruling authority or preponderating power in that Church, they are free to retire, and join another Church, or erect a new one —for these are liberties springing not from the tolerance or forbearance of the Churches, but from the liberality and impartiality of the State." *

Again,

"In order to bring out the peculiar character of the English Church, Mr. F. Stephens contrasts it with that of the Church of Rome on one hand, and with that of the Church of Scotland on the other; and he shows that those doctrines respecting the Bible—its inspiration, its criticism, and its interpretation, which these latter Churches settled dogmatically, each in its own peculiar way, and so rendered them articles of its creed and points of faith—the Church of England consciously and deliberately abstained from settling or determining in that manner, but left them as open questions to be investigated and determined by each individual, layman or clerk, within her pale, according to that light which history, experience, newer learning, and clearer light, or Scripture itself, might afford. If this can be made out, as it has been, to the satisfaction of the competent legal tribunal, it proves that that 'laxity of teaching,' which the Episcopal clergy in England have used ever since the Reformation, to the great scandal and disgust of many of its own members, and

* *Scotsman*, 7th July, 1862.

which has been a constant matter of reproach on the part of its enemies, is not attributable to any laxity in the administration of the ecclesiastical law, or to any prevailing tolerance on the part of the bishops and other rulers of the Church, but is indeed the result of that peculiar position which she was driven to occupy at the Reformation, and is a genuine and necessary deduction from the language of her Articles and formularies—from what these say, and not less from what they abstain from saying." *

"It is certainly refreshing," he says, at the close of his last article on Mr. Stephens's speech, "to find that there is one Church at least in Christendom where so wide a field of theological inquiry may be cultivated, and so many questions of the greatest moment discussed, without the vulgar argument of goods and chattels—depositions, and loss of parsonages and livings—and far worse, the stigma of unfaithfulness to a sacred trust, and the brand of heresy. It may occur as a problem to many minds, whether if this wide liberty be good for the Anglican clergy, it should not be extended to the clergy of all Established Churches. It becomes those who are concerned for the prosperity and stability of these institutions seriously to ponder this." †

All the time that he was reading, preaching, writing—this sad summer and autumn of 1862—with all his accustomed energy and force, his inner life was shattered and rent with grief. His son had come home from India, but to wither and die. It is only one who has seen the diary, in which the entries, almost every day, bear the impress of his affliction, that can understand how deeply the iron, at this time, entered into his soul, and how far he penetrated into the "sanctuary of sorrow"—by "strange steep ways" guided thither.

Often a mere line—two or three words—reveals the

* *Scotsman*, 11th September.
† *Ibid*, 1st November.

restrained anguish of the heart,—words "written as if in star-fire and immortal tears," on which the world has no right to look. How little did those who called him cynical and bitter—who knew nothing more of him than what they saw or read, as disclosed in passages of arms on the floor of an angry presbytery or hostile assembly —understand what a fire of passionate affection was kindled under that calm exterior, what love and sorrow lay concealed beneath the cold pale countenance.

George was taken, in July, to Stirling, in hopes of amended health, and his father was there as much as possible.

"*Sunday, August* 3.—At home with dear George."

"16*th.*—'We lie down in grief—
We wake up in sorrow—
In night no relief,
No light in the morrow.'

"22*nd.*—Read 'Life of Blondin'—wonderful!"

"23*rd.*—Finished Max Müller on 'Science of Language:' a charming book. Dear George rather better, some time past."

"30*th.*—'Grim Monster Death, that with his cruel flail,
Threshes us all to dust.'"

"*Sept.* 8*th.*—Writing review of Mr. Fitzjames Stephens' speech. Sat up with dear George, very weak and low."

"11*th.*—Watching till 4 A.M. with dearest George.

"12*th.*—Had the Communion with dear George; watching with our beloved till 3 A.M.

"13*th.*—Dearest George died—11 A.M. *My only son.* Another blow—if possible, the heaviest of all. I am not worthy to have had such a son, so amiable, gentle, humble, meek, and patient. He was *poor in spirit,* which, though not conducive to success and advancement in this rude world, has the 'Kingdom of Heaven' promised to it. Oh God, may he and his dear sisters have rest and peace in the bosom of their Lord—and partake for ever of Thy heavenly kingdom. And as for me, Lord have mercy upon me. Deliver me in good time from all my sins and miseries, through Christ our Lord. Amen."

Poignantly as grief wounded him, he never allowed himself to be withholden by it from duty. He was led in this, not only by his high sense of duty, but by the belief that if he were to give full indulgence to the moodiness and idleness of sorrow, his whole mental health and powers of usefulness would be overthrown. Writing to a friend, who was in depressed spirits, he says:—"In such states of mind one should try two things: one is to prevent the mind brooding over some one idea—some calamity, disappointment, apprehension—which has taken hold of it. In all cases I have found myself melancholy when some one thought of a painful nature had got dominion of me, so as to exclude that succession and variety of thoughts and emotions which is essential to mental health; and secondly, with a view to this, one should force oneself to talk to everybody, and on the subjects which *they* are interested about. Silence and reserve—which are symptoms of the disease—should be carefully and resolutely avoided. After all, what should depress us? We are in the hand of God, our most gracious and loving Father. Let us hope in Him, and in well-doing commit ourselves to Him; and the peace of God which passeth all understanding shall keep our heart and mind through Christ Jesus."

"So closes," he writes on 31st December, 1862, "around us the saddest year of my mortal pilgrimage. In March we lost our dear, dear Maggie, and the last page records the loss of our dear, dear George. Two gone out of five in six months is sad experience, and we suppose that nothing worse can await us in this world. May our three darlings, who assuredly were pure in heart, see God and dwell in the light of His countenance

for evermore. Could one but feel that they are happy, the bitterness of death, and of being separated from them, would pass away. And yet surely they have either perfect peace or perfect joy. O God, spare, if it please Thee, those two whom Thou hast still left us, and do them good, and bless and prosper them; and as my dear wife and myself cannot expect joy in or from this world any more, may we be so purified that we may have joy, peace, and everlasting consolation in Thee. Make me worthy—for Thy grace can—to be the companion of our dear dear children in a better world for ever and ever."

So closed 1862.

Still, for about a year and a half from this time, the kind of pause and suspension of active hostilities between Dr. Lee and the Church Courts continued. His "innovations" were not abandoned or altered; but the reactionary party in the Church, although still vaguely convinced they were illegal innovations, could not make up its mind how to deal with them. The sticklers for the good old ways, and lovers of the "ancient landmarks" which their fathers had not set, felt that something was out of joint when read prayers, and responses, and prose chants, and even a harmonium (introduced in 1863) were allowed in Greyfriars' Church,—but what or who was to put it right was not yet clear. So things went on, as they had since May, 1859, in comparative peace. Dr. Lee's life was a very busy one; but the business was not constantly embittered through enforced contention with his brethren. Perusing his diaries, one is struck with the quantity of reading, writing, visiting, he got through, the perpetual variety of persons met, interests

attended to, work done. As his mind was singularly active and alert, so was it equally open and receptive—alive to appeals and impressions from every point in a wide and crowded circle. Questions of education, literature, social improvement, elevation of the ignorant and poor, university endowment, employment of women—whatever could engage a public man's attention in the political or social sphere, no less than the ecclesiastical—found him intelligently interested in them, and ready to further their advance. And from all this his own proper professional avocations never suffered. His diaries bear witness to the untiring discharge of duties of this kind; visitings, marriages, baptisms, funerals, meetings with young communicants (sometimes for four hours in a day), writing of sermons, and so forth—week after week, methodically set down.

We may take a few extracts, which will throw some light upon his life during these less polemical months of 1863 and 1864.

"*Edinburgh, Feb.* 7, 1863.—Last night was held in the Masonic Hall a Congregational meeting, long projected. The Hall was full, and all parties seemed pleased. . . . . I am glad it is over."

"29*th*.—To Kilmardinny; Palmerston * at lunch. Dined with Pam at Lord Provost Clouston's."

"*March* 31.—Finished my sixteenth session without missing an hour from ill health, and only one or two (and these were made up) from any cause. My dear wife and two girls are at Bath—well, God be praised. Amen."

He was not a member of the Assembly of 1863; nor

* Lord Palmerston had come down to be installed as Lord Rector of Glasgow College.

were any of his "innovations" formally arraigned. But the ever zealous Synod of Aberdeen sent up an "overture," obviously directed against the mode of worship practised in Greyfriars, and beseeching the Assembly to "secure, as far as possible, uniformity in the form of public worship within the Church." The Assembly, however, was not to be spurred, even by the orthodoxy and eloquence of Aberdeen, into new prosecutions, but simply appointed a committee to consider the whole subject of "the laws and usages of the Church and present practice of congregations in the administration of public worship," and recommended all clergymen to refrain "in the meantime" from any changes likely "to impair the peace and harmony of particular congregations."

Dr. Lee writes to a friend in London after the Assembly:—"In our Assembly, of which I was not a member, nothing remarkable has taken place, except an opposition raised by one of my young friends against the petition for keeping shut the Botanic Garden [on Sundays]. He was followed by three others in a milder strain; but this was a new scene, and quite spoiled the fine azure of unanimity. . . . . The debate on Innovations, though destitute of any talent, was very significant of a mental revolution, and of great progress since 1859, when I had the felicity of appearing before them, charged with the heresy of innovating. In short, we are not without some symptoms of animation; or rather a religious and theological revolution is in progress here also, which some fear and others welcome, but all acknowledge."

DIARY.—"*June* 8.—This day finished the Presbyterian Prayer book and Psalm book, being prayers for five

Sundays, with selections from psalms, paraphrases, and hymns.* Last week I finished another of my literary projects, viz., 'The Family and its Duties, with other Essays and Discourses for Family Reading.' † May they do good in so far as they may have any influence. Thus I have been enabled to complete what I projected. May God be praised."

In July and August, he, with his family, occupied the Manse of Rosneath; and he took, in the minister's absence, the duty on the Sundays. The charming scenery of the Gairloch, and the facilities for sailing and boating, of which he was very fond, pleased him greatly. I returned once or twice, for a day or two, during his stay, and many a pleasant hour was passed on the water, or strolling about the gardens and woods. He was full of talk and animation, and of delight in the natural beauty of the scenes around. To its influence he was tenderly sensitive. A reverence and a gratitude seemed to mingle with his admiration for lovely scenery, which made communion with Nature, in her higher moods and aspects, a sacred thing to him. One saw, from his very look and tone, that he was conscious, to its fullest, of the

> "Sense sublime
> Of something far more deeply interfused,
> Whose dwelling is the light of setting suns,
> And the round ocean and the living air,
> And the blue sky, and in the mind of man:
> A motion and a spirit that impels
> All thinking things—all objects of all thought;
> And rolls thro' all things."

In September he took a cruise with Mr. David

* This was the third edition, altered and enlarged, of his original Prayer Book.

† Longmans and Co., London, 1863.

Richardson in his noble yacht * to the north of Scotland.

"*Sept.* 2.—Left Hartfield, 12 noon, to Largs, and anchored in Brodick Bay.

"3*rd.*—Round Mull of Kintyre to Sound of Jura.

"5*th.*—To Loch Coruisk; fishing, &c.

"8*th.*—Sailed through Sound of Skye to Lewis. Reached late. Great run.

"9*th.*—Surveyed Stornoway. Dined with Sir James and Lady Matheson.

"11*th.*—Staffa. *Iona.* Oban.

"12*th.*—At Kilcreggan."

In October, the Social Science Congress met in Edinburgh, and Dr. Lee took part in some of the discussions, being especially interested in the business of the Educational Section. But the meeting was scarcely over, when he began to be alarmed about his daughter Isabella's health. After a short illness she died on November 11. "My birthday," he says in his small note-book, "and that of our dearest Bella, who was born to immortal life this day at 3 P.M."

On the 16th, in the same book, he writes:—"*Funeral of dearest Bella.* Requiescat in pace in Domini sinu, donec resurrexerint justi et justæ omnes. O Deus! miserere."

What follows is from his Diary:—"*Nov.* 11.—My birthday, and a day sadly memorable to us by the death of our blessed child, Isabella. She died to-day without suffering, in the Lord, as we trust. Perhaps no human being had fewer faults, or a more beautiful character. She was full of talent, good sense, good feeling, and

* The "Circe," to which the still more admirable "Selene" has succeeded.

amiability. . . . . Her loss is irreparable to us in this world. Perhaps it increases the joy of dearest Maggie, George, and Janie, our blessed children gone before. May we have grace to follow their example, for assuredly they were examples to us, each of them, however poor an example I, at least, was to them. O God, have mercy upon us. Bless and spare our Napier, our only child! and may we live together in Thy kingdom which is unpolluted by sin, sorrow, or Death, the last enemy."

"To Rev. R. H. Story.

"Edinburgh, 26*th November*, 1863.

"My dear Story,

"We are much obliged for your kind note. Our dearest Bella's removal has left our house and our hearts empty, and our life sadly darkened; for she was the light of our eyes and the life of our life in this world, upon whom our affections were perhaps too much concentrated. And yet it could not be otherwise, for it was impossible not to love with more than common tenderness one who united so many mental and bodily graces, without anything whatever to check and counterbalance their effect. No one can remember that she ever said or did an unkind or ungentle word or deed. Surely she was more fit for a purer world than for this. Mrs. Lee and myself are pretty well, also our only child Napier, if we may venture to call anything ours, in this world. . . . .

"I remain, my dear Story,

"Always yours affectionately,

"R. Lee."

DIARY.

"*Dec.* 31, 1863.—To-night I am alone, my wife and daughter being at Paisley. Alas! how our lives sink down into dust and rottenness! This once populous house is almost empty, and the grave has well nigh swallowed up its living and loving and beautiful inhabitants! Oh, Thou living God! May they and

we live with Thee, united to part no more, in Thy kingdom of Heaven, where we shall praise Thee as the Father of Thy Christ, the Conqueror of Death, and the first fruits of them that slept. May our fearful and troubled spirits at length find rest in Thee, O God!"

"1864. *Feb.* 19.—My diary is little but a record of death. This morning early our dear little grandson, George Lockhart Thomson, who had completed his second year upon the 8th of this present month, died of *Diphtheria*, after a severe illness. He was a sweet and very intelligent child, and our affections clung fondly to him, as the representative and relic of his never to be forgotten mother, our dearest Maggie, with whom we hope, after a short separation, he is now united to part no more, in the perfect rest and joy of God's kingdom. I shall have few to leave in this world. My family is now almost extinct, only dear Napier remaining of all our children, and our only grandchild also gone!"

Among his sermons is one, marked "begun November 11, 1863—Day Isabella *died*." It is on the text "Now we see through a glass darkly;" and in its expression of a faith struggling to be calm and steadfast amidst the buffetings of an overwhelming sorrow, in its unconscious self-revelation, is as affecting a page, torn with wounded hand out of the book of life, as any man could read. It is less a discourse addressed to others, than a communing with himself, as he sits alone in the dull November night, and looks "wistfully into the long burial aisle of the past, where only winds and their low harsh moan give inarticulate answer."

"It is strange," he says, "we are tempted to add it is unfortunate, that our spiritual vision dims when we most need its clear light." "The advance of science appears to render faith less easy. We see everywhere the existence, prevalence, absolute dominion of law. All appears regulated, uniform, *fated*, as we may

almost think. Where, we ask, is there room for *will*, or *interposition*, on the part of God; or of prayer, on our part? We cannot by our faith remove mountains in the natural world, or even a grain of the matter that composes them. How can we imagine that we can in the spiritual? God! what is God? A person!—a will! —a character!—or only a power immanent in Nature! *i.e.*, Nature itself, to which it is as vain to cry as to the winds and waves, which threaten to overwhelm us?" Then after a Butler-like analogy from the case of the lower animals, to which man is as God, and which "fulfil their part not only by what they know, but also by what they do not know, and are created incapable of knowing," which is to teach us to trust that in withholding, no less than in bestowing, God does well,—he speaks of the mercifulness of our ignorance of the future. "Human life would be paralysed—human hearts would be chilled," if we could rend that solemn veil. "As we see creatures upon the earth which cannot apprehend the great interests and the great world that exist here, so there may be, and no doubt are, interests and a sublime world which are around us, but which are as hidden from us, as this human world is from them. . . . . Let us be thankful that so much light has been afforded us. Let us use it faithfully. Let us walk by it and it will grow more and more. Our eyes accustomed to the gloom will learn, at least, dimly to discover many things, which cannot be perceived at all by the vision accustomed to the glare of worldliness. If we bring humility and honest desire to know the things that are given us of God, we shall gain some apprehension of them, at least. We shall follow Christ so far into the *Sanctum Sanctorum*

of the divine presence ; and as our souls are cleansed and our minds calmed, we shall have granted to us some measure of that most glorious of the promises, 'The pure in heart shall see God ;' shall see Him indeed hereafter, but shall also see Him, though it may be dimly, now."

The commonplaces of religious consolation were never used by him, because their force was never felt. To hold his faith in the midst of darkness and desolation was to him a terrible struggle. He did not affect to speak of the struggle as easy, or of the cause of it as a light thing.

"I have a desire to depart and to be with Christ, which is far better." Commenting on these words he says in one of his note books, "The greatest miracle of Christianity is perhaps the *Faith* of its Founder, and of His apostles. Well may he be called 'the author and finisher of the faith,' for such consciousness of the existence, presence, goodness of God, was never. This is perhaps the *centre* of Christ's character. This gives it its wonderful purity, elevation, and power. Wonderful too is that saying of Paul, 'I have a desire to depart, &c.' 'We know that if the earthly house, &c.' 'We look at the things not seen.' This is a characteristic of Christian knowledge. Probably this assurance is worth all the sufferings which any martyr ever endured in this world. For of all the miseries we are called to endure, to many the bitterest is that darkness of the future. *Doubt* is worse than poverty and death itself, for indeed doubt is that cloud which casts its own sombre hue upon all things." "Every man," he says, "has his own idea of heaven. My idea of heaven is deliverance from the painfulness of doubt."

Writing to a friend, who was in circumstances of pecu-

liar distress, not very long after the time of his own great trials, he says :—

"I do not know what to write to you, except to express our deep sympathy with you under this peculiarly painful affliction. May God send the Holy Spirit, the Comforter, into your heart, enabling you to cry—even out of the depths of your sorrow and distress—Abba, Father. I know by bitter experience how hard it is not to let go our faith under painful trials; and to bless the hand that smites us is assuredly a rare and most blessed attainment. May it be yours, my dear friend. So shall you enjoy the blessedness of them that mourn, and who shall be comforted, with a consolation not depending upon time or this world, or the creature, but on God alone, the infinite and unchangeable love. Let us not sorrow as those that have no hope. Your dear son is, we hope, with God. Soon, very soon, we shall follow, to be (as we trust) united with them who are gone before in a deeper love and a more perfect communion than any we have known in this Valley of the Shadow of Death. We trust in the living God, whose children shall live with Him to enjoy for ever the tokens of His sensible presence, and to be blessed in each other's society, freed from those imperfections which so mar our felicity now, calling us to raise our hearts to an enduring substance."

"And the Lord said, Simon, Simon, behold, Satan hath desired to have you, that he may sift you as wheat: but I have prayed for thee, that thy faith fail not: and when thou art converted, strengthen thy brethren."

CHAPTER II.

CHURCH REFORM.—ASSEMBLY OF 1864.—MR. RANALD McPHERSON. — ABERDEEN ACT. — BALMORAL. — THE ORGAN.—EDUCATION.—ENGLISH CHURCH.

> "Live—yet live—
> Shall sharpest pathos blight us, knowing all
> Life needs for life is possible to will."
> TENNYSON, *Love and Duty.*

THE "Family and its Duties" was published, as we have seen, in 1863. It contained a reproduction of several of Dr. Lee's already published discourses and addresses, with some new essays. His next publication was of a different character, and, no doubt, of greater general interest, in Scotland at least—a fact proved by its speedily reaching a second edition. On May 9, 1864, he says, "My book was published to-day, 'The Reform of the Church in Worship, Government, and Doctrine. Part I., Worship.' It was written and printed during the sad winter that is past, and, therefore, under very unfavourable circumstances. I hope it may do good, by opening the eyes of some of my Presbyterian brethren. Whether I may live to write the second part, God only knows. May I have grace to hold ever to that better part!"

"It is impossible," said a critic,* "for any one to

* *Daily News*, 15th August, 1864.

examine this book in a candid spirit, and not to feel convinced of two things—first, that the reforms which Dr. Lee advocates, and most of which have been practically tested by use in his own congregation, are recommended by the plainest common sense, which in itself should have some weight with Scotchmen, Calvinists though they be; and, second, that by introducing these reforms it does not appear that a single law, civil or ecclesiastical, has been in the least infringed. In fact, the freedom of judgment and of custom permitted by the 'Directory' is in most marked contrast to the uncouth rigidity which for years has been attempted to be enforced, by no higher authority than the uncultivated taste and irreverent feeling, alike of priests and people."

The book is incontestably the ablest contribution ever made to the question of liberty and propriety of worship in the Scottish Church, examining, as it does, among divers other matters, the subjects of liturgical and extemporary prayer, postures in worship, use of instrumental music, and the propriety of certain festivals and fasts, as Christmas, Good Friday, and Easter, instead of the absurd Scotch innovation of local "fast-days." All who are interested in the history and developments of Scottish Presbytery ought to study Dr. Lee's treatment of these points, and especially to note the chapters (v. vi. xi.) on the Dangers of the Church; on the Secessions to the Episcopal Church, and their Causes; and on the Directory, Book of Common Order, and Book of Common Prayer. These will be found to contain a most valuable fund of historical criticism and information; and the reader will be surprised to discover in how many respects the present aspect of the Scotch Church and her services

is a caricature of the Church, as it was designed and ordered by the first reformers. It is with proved truth that Dr. Lee says, in his conclusion, that the reforms he has advocated "only tend, for the most part, to restore those customs and practices which the fathers of Presbytery thought expedient, and which they established and themselves practised. . . . No one should raise an outcry against ritualism, formalism, or any other *ism*, when nothing more is suggested than a return to some practices which the universal Church has sanctioned, which our earliest and wisest reformers approved, and which the more enlightened portion of the Scottish people at least are prepared to welcome."*

From many quarters Dr. Lee received cheering assurances of the sympathy and cordial assent with which the book had been received. Dr. John Robertson, the minister of Glasgow Cathedral, one of the best and wisest of the clergy, too early lost to the friends who loved him and the Church of which he was a pillar, wrote to him:† "I have just had the pleasure of completing a second perusal of your book on the Reform of the Church, and I cannot omit the opportunity of thanking you for it. I agree, for my own part, with almost every word you have said, and the time, I should think, cannot be far distant when the spirit of enlightened love to the Church, in which you have both written and laboured, will be as fully recognised by all as it is now heartily admired by some."

"I have very rarely, if ever," wrote a Scotch pro-

* First edition, p. 105.

† Dr. Robertson died at St. Andrews, 9th January, 1865, leaving as the only published memorials of his admirable ministry two volumes, the one "Pastoral Counsels," the other "Sermons," to which a brief memoir is prefixed.

fessor and accomplished reviewer, who, in quest of a more reverent service, had gone over to Episcopacy, "read a book with greater interest, and I dare say I never read a book with fuller assent, than that for which I have to thank you. I have just written to the editor, offering to review it. He is timid and hesitating about such matters; but that personally he agrees with you is a point which I could not be *so uncharitable to him* as to doubt."

Another friend, who had himself written thoughtfully on questions affecting the Church, says: "You have truly pointed out the causes of the secessions to the English Church. But the Scots never can be Episcopalians, and never would be, were their own worship made *worship*, and not mere preachings and irreverent discords of atrocious noises, considered 'singing from the heart.' The present prayers! (extempore addresses to the Deity, telling him what he is, and what we expect him to do for us—partly sermons to the audience) and the ludicrously irreverent singing miscalled praise, have done more to drive away every man of refinement from the Church than even the stupid sermons. But if we had the Praise and the Prayer—the *worship*—right, little fault could be found with even a poor sermon. If your work comes to a second edition, I think it would be well for you to consider more fully the question whether the Christian Church is a Temple or a Synagogue. Our worship, of course, is constructed on the idea of its being both. But the old Reformers evidently held that it was a *Synagogue* alone—a place where the people ought to be taught. And hence they instituted the *Pulpit*, and gave prominence to the Preaching.

Now, no place of worship ought to be anything else than a Temple. What is the very object for which we meet? We meet on Sunday to commemorate the rising of the Son of God from the grave; to thank God for this his inestimable mercy to us, &c. Our object in meeting is purely worship, and worship ought to be the prominent object of our meeting, the minister merely taking advantage of the people being there to exhort them to continue steadfast in the faith. May God bless your efforts to extend and to purify His worship!"

These are only specimens of a number of comments on his work, which came to him from many sources, showing how wide and intelligent an interest it had evoked.

Shortly after the publication, the General Assembly of 1864 met. The committee which had been appointed by the previous Assembly brought up its report on "Innovations in Public Worship." The report, which was a lengthy one, was read by Dr. Hill.* It began with a sufficiently fair historical sketch of the usages and laws of the Church in regard to worship, although in referring to the introduction of the Westminster Directory, it made the unwarranted assertion, which it buttressed with no proof, that "free prayer, which had formerly been permitted and encouraged, was now made imperative."

"At the Revolution," it continued, "the Westminster Confession of Faith was ratified by Act of Parliament as the public and avowed confession of this Church, and the Presbyterian Church government as the only government of the Church

* Formerly Professor of Theology in the University of Glasgow, an old and consistent member of the Moderate party.

within this kingdom; and in 1693 it was enacted that no one should be admitted or continued as a minister of the National Church who would not subscribe the said Confession, and own and submit to the said government. But instead of expressly sanctioning the Westminster Directory, the Parliament simply enacted, 'that uniformity of worship and of the administration of all public ordinances within this Church be observed by all the said ministers and preachers as the same are at present performed and allowed therein, or shall be hereafter declared by authority of the same, and that no minister or preacher be admitted or continued hereafter, unless that he subscribe to observe and do actually observe the foresaid uniformity.' Perhaps the true explanation of the language employed in this latter case is that given by some recent ecclesiastical historians, and apparently countenanced by the terms of Act IX., Assembly 1694, that there were in the Directory regulations even in regard to the ordinary public worship which during the times of persecution had fallen into desuetude, and in regard to which the Assembly, however favourably it might regard them, could not at that time venture to do more than hint that they might 'by degrees be recovered.' Accordingly, it was not till eleven years after that they proceeded (Act X., Assembly 1705) seriously 'to recommend to all ministers and others within this National Church the due observation of the Directory for the Public Worship of God, approven by the General Assembly held in the year 1645, session 10."*

The report then pointed out that the innovations against which the often quoted Act of Assembly of 1707 was directed, were "the introduction of the English liturgy and the observance of its ceremonies and festivals in King's College chapel, Aberdeen, and some of the parish churches in the northern counties."† Passing on

* The civil sanction given to the Westminster Directory, was taken away in 1661, when all the ordinances of Parliament between 1640 and 1660 were abrogated; but the form of worship it prescribed appears to have been generally followed without material variation in all save a few parish churches during the whole time of the second Episcopacy.

† The minutes of the Kirk Session of Banchory-Devenich, in Aberdeenshire, show that the liturgy was used in that parish after 1712.

to the present usage of the Church, on which minute inquiries had been made, the report continued :—

"The uniformity in the mode of administering public worship in the congregations of our Church is very striking. With one exception in the metropolis, and one, or perhaps two, partial exceptions in the provinces, there is really no difference that calls for animadversion or remark. In many instances ministers exercise that discretion in regard to the order of the service in the house of God, which the Directory for Public Worship allows when the edification or convenience of their hearers is in question. Slight changes in the order observed are to be found even in the same neighbourhood, and occasionally the service is shortened by the omission of one or more parts. But in general, almost universally, the order is as follows :—Praise, prayer, reading of Scripture ; praise, prayer, lecture or sermon ; prayer, praise, benediction.

"In the exceptional case referred to in the metropolitan Presbytery, the order of service on the Lord's-day, as stated in the return, is this :—

"Forenoon—Introductory sentences, prayer, singing, lesson from Old Testament, prayer, singing, lesson from New Testament, prayer, singing.

"Afternoon—The two chapters or lessons are commonly read together, and the sermon takes the place of the lesson from the New Testament, before the third or last prayer.

"The prayers are printed. A harmonium is used, and has been in use for nearly a twelvemonth."

The report also bore that in a number of congregations the postures in use were at prayer, kneeling ; at praise, standing ; in some cases the latter had obtained "from time immemorial ;" and it recommended that these "very secondary matters" should be left to the discretion of Kirk Sessions and congregations. The committee stated that, without venturing to say what measures should be adopted, they held it right to direct attention

to the fact of the prayers being read from a book, and a harmonium being used, in Dr. Lee's Church.

The report was acknowledged to be, upon the whole, impartial, and judicious. Its adoption was moved by Dr. McPherson, the terms of whose motion were :—

"The General Assembly, having considered the report of the committee anent innovations in public worship, approve of the same, and resolve to record the expression of their thanks to the committee and its convener for their diligence and success in examining into and reporting on the important matters submitted to their consideration. Further, the General Assembly express their determination to put in force the laws of the Church in respect to any innovations whereby the harmony of particular congregations or the peace of the Church in general is disturbed. And, meantime, the General Assembly anxiously exhort all ministers, in the conduct of public worship to be careful that all things be done decently and in order, and to have a serious regard to the peculiar importance of the exercise of prayer, and of engaging in it with due preparedness of heart; and they also earnestly call the attention of ministers, elders, and congregations to the importance of improving the psalmody of the Church, and particularly of training the young from early life to join in singing the praise of God in a grave and melodious manner."

In the course of the discussion which followed, Professor Stevenson gave frank expression to a difficulty, which was yet destined to embarrass many of those who agreed substantially with Dr. Lee's views upon Public Worship. Dr. Lee regarded the printing and use of a book of prayers, in every several congregation, if need be, as perfectly within the limits of the legal liberty allowed to ministers and congregations. Many of his supporters, though not disputing the accuracy of this opinion, saw that it might be held to sanction great practical inconveniences.

"The question," said Professor Stevenson, "has come to be narrowed to the two points of a Book of Prayer and instrumental music. Now, at once and in the face of the subject, I do express my own opinion, as a very deep and settled one, that I hope the Assembly never will, in my time at least, prescribe a dogmatic rule upon either the one or the other of these points. I express this opinion for several reasons. In the first place, I think, as regards written forms of prayer, we should put ourselves into a most awkward condition indeed with many large and devout branches of the Reformed Churches. . . . . But, Moderator, when I say these things I say them under considerable qualification. As regards a Book of Prayer, that must be the book of the Church. We have no law against the use of a book at this moment, but then that against which there is no law is the book of the Church. It will never do for us to have books universally. I admire the courage of my friend and colleague, whose honourable spirit in all his actings I have admired for a quarter of a century and a good deal more, I am sorry to say. But be that as it may, and although he may have cleft the way to what in the end shall turn out to be improvements, I would not have gone along with him in the precise form in which he has done it. I say if we are to have a book, it ought to be the book of the Church."

The suggestion of this difficulty, naturally, did not tend to allay the eagerness of Dr. Lee's opponents; and Mr. Cook, the Procurator of the Church, from first to last the consistent, able, and determined enemy of what he thought innovation, in any shape, was loudly cheered, as he proposed that the House should come to this deliverance:—

"The General Assembly approve of the report of the committee, and resolve to record their approval of the orderly manner in which the public worship of God appears to be conducted in general, throughout the Church in conformity with her laws and usages. But, in respect that it appears from the report that there is now practised in the church of Old Greyfriars', within their bounds, a mode of offering up public prayer

which involves a violation by the minister of the congregation of an injunction addressed to him by the General Assembly of 1859, the Assembly instruct the Presbytery of Edinburgh to inquire into the facts regarding the said practices, and, if necessary, to confer with Dr. Lee, and take such other steps as they may be advised to take in accordance with the law, to restore order and respect to the law of the Church within their bounds."

Before the vote was taken, Dr. Lee spoke at length on the general question, and in reply to the many references which had been made to him in the course of the debate; and in doing so, he indicated the line of defence which he might follow, in the event of the Presbytery of Edinburgh adopting, in accordance with Mr. Cook's motion, hostile measures.

Dr. Hill had charged him with violating an injunction of the Assembly.

"I ask my reverend friend," said Dr. Lee, "whether if he, as a Churchman or a Briton, were to receive the command of an ecclesiastical court, whether a Presbytery or a General Assembly, and if he thought that command was unlawful, unwarrantable, and unconstitutional, he would not disobey it? I think he remembers a word of three syllables—Strathbogie. Did my reverend friend not disobey the command of the General Assembly there? and was that command not as solemnly given and as seriously considered as any command which the General Assembly of 1859 ever addressed to me? If, on examination—I do not say this as my defence—I came to the conclusion that the command addressed to me in 1859 was an unconstitutional, unwarranted, and tyrannical stretch of the powers of the General Assembly, I say I was bound, on the same principle on which my reverend friend and his friends acted, and for which I commend them, to disobey the injunction, and to assert the liberty I possessed on the same principle."*

* When the seven ministers of Strathbogie were suspended and then deposed by the unconstitutional Assembly of 1841, many members of the Moderate party, among them Dr. Hill, maintaining that the deposition was illegal, proceeded to Strathbogie to hold ministerial communion with the deposed ministers, in defiance of the Act of the Assembly.

After a long speech, full, where it assumed the tone of an apology for his own position, of logical and witty reasoning, Dr. Lee concluded thus :—

"I will ask you in one word to look at the question a little more broadly than some gentlemen have been doing. What is the meaning and intention of these laws that lie under the obligations which are upon us? Is it not to promote what we conceive to be the best interests of the Church? And are we not at liberty—considering every point as wise and faithful men—to make every change which we think may be conducive to these ends, and which is not forbidden by the laws—the clear and expressed laws of the Church? Why, if I were to act in the spirit some men would have me, I should obey the letter of the obligation, and at the same time I should violate the spirit of that obligation. The meaning of all the obligations that have been imposed upon me is this, that I am bound to uphold the Church of Scotland to the best of my power. It has told me by express laws that there are some things I may not do, and I have never done anything I believe to be forbidden by the law—and I take the credit to myself that I have taken greater pains than many of the gentlemen who have presumed severely to censure me to-night to ascertain what the law is. If I have gone wrong, therefore, I have gone wrong with a good conscience. I believed, and I do believe, I was acting in the spirit of the obligations by which I was bound as a minister of the Church of Scotland, and when I entered that Church I conceived I was under a constitution, and knew what the restrictions were which that constitution placed upon me. I did not believe that prejudices and blind custom were to be my rule, and if these are to be my rule, I beg to say I must hold myself back from obeying such a rule. I will not live willingly under any tyranny, be it civil or religious; and if I am to be subjected to such a rule as that, I say it is tyranny. I may state in one word the circumstances in which I am placed. When I entered the Church I conceived that there was a want—that something was wanted by our congregations—which our common worship did not meet, and I set myself to keep within the law and to meet that want. Accordingly I have for many

years past set myself to the study of all the liturgies I could lay my hands upon, and, as the fruit of that study, to write prayers for my own use. Perhaps many of those who have censured me have not taken such pains. These prayers are fragmentary, one Presbytery said. Well, if they are fragmentary, I will only say that they have cost me a vast amount of trouble. These prayers cost me a great deal of pains, and I want them only for my own use. You may forbid me to read them—suppose you take a narrow view of the matter and forbid me—but all you can possibly do is to compel me to perform the burden of learning them off and repeating the same words from Sunday to Sunday as long as I live. Is not this a most ridiculous issue for the General Assembly to be brought to? Would not that be an approach to a liturgy? At present I use ten forms of prayer, but if you arrive at that decision the result will be this, that I must take one of these forms of prayer and repeat it from day to day, which would be a far greater approximation to a liturgy than when there are ten different forms employed. I should be obliged to leave off one of the forms, and then, as many ministers just now do, I would just repeat the same thing over every day. Now, would not that be a glorious victory for the General Assembly? There are many ministers who do so now. I have heard for many years one prayer, and could repeat it to you. I have heard it repeated from June to January, and from January to June, both morning and evening. Is that not a liturgy, or, at any rate, an approximation to it far nearer than anything that I do? I beg that the General Assembly will look at the substance of this case, and not be frightened by the shadow. When a man gets old, he gets an assistant; why not allow me to assist my memory? I went to a country parish a few years ago and used my book, and succeeded in getting the objections of an old Scotch woman, who was there present, very much removed; and when, on coming out of the Church, she was upbraided by another woman, a member of the Free Church, she made for me a very good excuse—'Puir man,' she said, 'his head is gettin' unco' grey, and he is just helping himsel' wi' a bit paper.' Why, Sir, if you help yourselves with a 'bit paper' for your sermons, why should I not help myself with a 'bit paper' in prayer? And I would far rather that you forbade me to read

my sermons than my prayers. It is far more natural to read a prayer than to read a sermon. You look men in the face when you speak to them, but it is of no consequence where you are looking when you are speaking to the King Eternal, Immortal, and Invisible. I humbly hope the General Assembly will this night come to a decision which will do it honour. High hopes begin to be entertained of the Church of Scotland as a wise and tolerant institution, and I should regret—for the sake of Scotland far more than for my own sake—if such a decision should be given as that indicated in the learned Procurator's motion."

When the House divided, 151 voted for Dr. McPherson's motion, and only 64 for the Procurator's. "A revolution!" says Dr. Lee in his diary. It certainly was a decision more wisely tolerant of orderly change and progress than any one had hoped for; and practically condoned any fault that might be imputed to Dr. Lee in regard to his resumption of the book of prayers, which he had laid aside from 1859 till 1863.

The judgment of the Assembly, in rejecting the Procurator's motion, was regarded as virtually sanctioning Dr. Lee's proceedings, and protecting him from any future interference from the Presbytery. Mr. Cook, himself, considered that it had this effect, and that it finally disposed of the long disputed innovations in the Church of Old Greyfriars.

The Assembly's decision did not shine with this light, however, in the eyes of the Reverend Ranald McPherson, minister of S. Luke's Church, in Edinburgh.

Deeply pondering upon Dr. Lee and his strange ways, the mind of the Reverend Ranald McPherson led him,

through certain inscrutable processes, to the conclusion that the time had come when the Presbytery of Edinburgh must arrest the reckless course of the minister of Greyfriars. As a corollary to this, the Reverend Ranald McPherson was also permitted to believe that it was *his* duty to lead his brethren to do their part on this notable occasion.

Accordingly, at a meeting of the Presbytery on the 28th July, in pursuance of a notice given at a previous sederunt, the Rev. Ranald McPherson moved—seconded by the Rev. Finlay Mathieson,

"That a committee be appointed to confer with Dr. Robert Lee—1st, with regard to the injunction of the General Assembly of 1859 to discontinue the practice in Old Greyfriars' Church of offering up prayers by reading printed or written forms; 2nd, with regard to the use of a harmonium or other musical instrument in public worship in Old Greyfriars' Church; 3rd, with regard to the statement made at page 30 of the book recently published by Dr. Lee, entitled, 'The Reform of the Church of Scotland,' &c., respecting the private dispensation of the Sacrament of the Lord's Supper."

The Presbytery of Edinburgh, however, was not quite the same body that it had been, when in 1859, it had condemned Dr. Lee by decided majorities. It had gained other accessions besides the Reverend Ranald McPherson; and a liberal and charitable mind had asserted its presence among the increasing phalanx of its younger clergy. Several of the older ministers, who had formerly opposed Dr. Lee, were on this occasion absent, either from accident or design. The Rev. W. Graham, of Newhaven, moved the previous question, which, almost without debate, was carried by a majority of 20 to 6.

Mr. McPherson, not to be cheated of his prey, appealed to the Synod, determined to see whether or not he could find in that larger body intelligences of the order for which he had vainly sought in the Presbytery, and to which it would appear right and proper that the inferior Church Court should proceed to deal with Dr. Lee in terms of a resolution, which the supreme tribunal of the Assembly had emphatically rejected. To the Synod, accordingly he went on the 1st of November, armed with a speech which, with much elaboration, demanded that the authority and discipline of the Church should be vindicated by the prosecution of Dr. Lee. Dr. Lee, from the bar, supported the judgment of the Presbytery. Towards the close of his speech, adverting to the charge of having celebrated the Sacrament of the Lord's Supper privately, which Mr. McPherson had urged as a grievous offence, he said :—

"I must add a few words with regard to the matter of private communion, for I understand Mr. McPherson says that the practice of private communion is contrary to the ancient laws of the Church. Now, while in Acts of Assembly there is the most specific prohibition of the dispensation of the communion in private, it is very curious that in the Confession of Faith and in the Directory there is an express prohibition of private baptism, but not of private communion. In Chapter XXIX., section IV., 'Private masses, or receiving this sacrament by a priest, or any other alone; as likewise the denial of the cup to the people, worshipping the elements, the lifting them up, or carrying them about for adoration, and the reserving them for any pretended religious use"—all these things are forbidden, but not private communion. Whereas, in regard to baptism the prohibition in the Directory is quite express—'Nor is it to be administered in private places or privately, but in the place of public worship, and in the face of the congregation, where the people may most conveniently see and hear.' There

is, therefore, in the Directory a distinct prohibition of private baptism, but there is not a distinct prohibition of private communion. There is an Act, however, passed in 1690, which is very express, and which is to the effect that the General Assembly 'discharges' the use of the Lord's Supper to sick persons in their own house, and discharges the use of baptism in private houses. Now, this being the case, let me ask in what position are you? These are the laws of the Church, but the Church has repealed them by its own practice; and, what is more, you have it not in your power to punish any man for breaking them, because it is a principle of law that a legislative body which connives for a certain time at a breach of a statute has not the power to enforce it. A case illustrative of that happened two or three months ago. A gentleman travelling on the Great Western Railway was brought up before the authorities for smoking in a first-class carriage, although the law was put up that smoking was forbidden in these carriages. I think the case was tried at Bristol, or somewhere in the West of England. His defence was that although it was the law, and he knew it, yet he was ready to prove, and did prove, that the company had connived at the breach of the law, and thereby had repealed the law; and the judge, without a moment's hesitation, decided in his favour that the law was no longer in existence, because of the connivance of the body which made the law. Mr. McPherson will, I hope, take this home upon his conscience, and digest it. I hope he will not think that I am to be found guilty for breaking one half of the law, and he to be found innocent because he only observes the other half. He has probably read in a book, which we all read here, that 'he who keepeth the whole law and yet offendeth in one point is guilty of all.' You cannot with decency blame or condemn any minister for administering the communion in private when the law relating to baptism is broken by you every day. It is one of those regulations which are contrary to human feeling—contrary to the feelings of every parent, and I think it would be impossible to carry it out without saying that the sacrament was nothing. Accordingly, all Churches, I believe, have been compelled by the Christian instinct of the people and of themselves to depart from it, and to allow its administration in private to certain individuals. I have dispensed the commu-

nion privately three times, and I have stated so in the book which has been alluded to, because I disdained to do so secretly. It has been done by others secretly, but I disdained to do so. I have the same authority for dispensing the communion as you have for dispensing baptism. The cases in which I so dispensed the communion privately were these. Two of them were cases of young gentlemen, members of the Church of Scotland, who had been abroad, and came home to die. They did not wish that their last act upon earth should be an act of dissent or schism, as they reckoned it, from the Church in which they had been baptized, of which they had been members, and to which they were attached. Was it for me to drive them into that which I considered to be a sin? Was it for me, out of deference to prejudices which have no foundation in the nature of things, to do this? We believe that wherever 'two or three are gathered together' in the name of Christ He is in the midst of them to bless them, and that such an assembly with a minister, elder, &c., is to all intents and purposes a Christian Church of Scotland. We further believe that the validity of the sacrament does not require that the church should be consecrated. We have no consecration of churches, but believe that wherever there is a humble, believing heart, there God is, there Christ is by His Holy Spirit. The other of the cases I refer to was the case of my own son, and I felt the duty was imperative upon me, and I should have been prepared to perform it whatever the consequence was. I am sure there is not a father present—not a minister who would have told his son, 'You must dissent from the Church in which I am a minister, and in which you were baptized, in order that you shall have the comfort of showing forth the Lord's death, before you take your last long journey.'"

The Synod unanimously dismissed Mr. McPherson's appeal, and affirmed the judgment of the Presbytery. Thus this untimely effort to revive the old excitement and opposition came to nothing, and there again was peace.

Dr. Lee had been summoned to Balmoral during the sitting of the Assembly, before the Aberdeen Act came

to be discussed, and consequently lost the opportunity of repeating his motion for an appeal to Parliament. But the subject had, as usual, been much in his thoughts, both before and after the Assembly. His desire was, that some influential member of either House should at once bring the present state of matters before Parliament, with a view to an amendment of the law. In the course of a correspondence extending, with intervals, over many months, he urges this upon the Duke of Argyll; but the Duke did not feel that the time had yet come for legislative interference, or that the opinion of the Church in favour of a definite change of the law had been expressed with sufficient distinctness.

What the change should precisely be, was a question Dr. Lee himself found it somewhat hard to answer. There was the difficulty of devising a system of patronage satisfactory to his own mind, and there was the greater difficulty of framing it, in such a way as should find favour with the majority of the General Assembly.

"Though fully sensible," he writes to the Duke, in February, 1864, "of the many objections which may be urged against the 'Veto,' I still think that it, or some modification of it, affords the best promise of a satisfactory solution of our present difficulties." In reply to a suggestion of his Grace's that the Presbyteries might be empowered to give effect to the dissent of the people (wherever they thought the settlement of the presentee inexpedient in a particular parish), without taking the present obnoxious proofs,* he writes again, a little later:—

* Such a power would, in Scotch ecclesiastical phrase, be called "liberum arbitrium."

"Dear Duke of Argyll,

"I am much obliged to your Grace for your note explaining your views regarding the amendment of Lord Aberdeen's Act.

"I cannot disguise from you my fears that the *liberum arbitrium* would prove a remedy worse than the disease, bad as this is. Such discretion might perhaps work well if vested in two or three firm and judicious men, who enjoyed general confidence; but in the hands of our Church Courts I cannot hope that it could produce any but pernicious results. These courts are so constituted, a large number of their members are so ill qualified, and are swayed by such strange views and feelings, that no measure is safe in their hands which does not prescribe a *fixed and distinct rule of action.* Your Grace shows that you are not unaware of the consequences of a *liberum arbitrium* secured by law for the Church Courts.

"It would result certainly, I apprehend, in the abolition of patronage—at least, in all cases in which the people or any number of them objected to a presentee,—and so it would hold out to the people an almost irresistible temptation to object. Whereas under the veto a majority must come forward as objectors. Under such a system as your Grace hints at, a very small minority, if only clamorous and persistent, would suffice. So that, while the veto only somewhat limits the patron's power, a *liberum arbitrium* would annihilate it. This appears to me unquestionable and certain. Such a measure, instead of dividing the patronage between the patron and the people, divides it between the patron and the Church Courts, only it assigns nearly the whole to these. And I believe I express the sentiment of nearly every member of these courts whose opinion has any weight in any quarter, when I say that such power should not be committed to Presbyteries or to other bodies which review their decisions. Your Grace says truly, that the Presbyteries do not desire such power. I think they should not, and I apprehend they will resist any attempt to bestow it upon them, because it will put them not only in an invidious position, but in one which would be very injurious to the Church. If a presentee is intruded under the existing system, the indignation of the people vents itself upon the patron, or upon the law, or

upon both; but under a *liberum arbitrium* it would fall entirely upon the Church Courts; that is upon the clergy. Now I apprehend the fear of this would prevent the clergy as a body exercising any discretion at all. There can be no doubt, I think, that such a law would be far more sweeping than a veto which regulates the amount of popular dissent that shall be effectual. . . . . If it appear impossible to obtain a participation by the people in the patronage, by a veto or otherwise, then I think with you that a limitation of objections, and of the way of dealing with objections, is the best object to aim at. Having been compelled for many years past to think much on this subject, I had concocted some such plan as the following:—

"I. Objections may be offered by persons entitled, but they must be made in writing, and subscribed, &c.

"II. Such objections shall relate to the following points, and to none other:—

"1. Life and conversation, (also orthodoxy;) moral character of presentee. The people should have a more summary way of proceeding than by libel; the Presbytery may afterwards proceed by libel if they see cause. 2. To alleged want of discretion or propriety of conduct, not immoral. 3. To physical ability, health and strength to discharge the duties of the particular parish. 4. Power to make himself audible in the parish church.

"The second of these grounds of objection may appear questionable, but it is indeed very necessary and important.

"These appear to be all the particulars which are not either already determined by the presentee having been licensed, or are not to be reached by a libel.

"III. Having received any such objections, the Presbytery shall take such means of enabling themselves to form a correct judgment respecting them as may appear to them necessary, and their decision (subject to review of supreme Church Courts) shall be final.

"I hope I may crave your indulgence for this long, and I fear tedious note. I should be sorry if either I or any of those ministers who have taken a prominent part in discussing this matter, should find ourselves compelled to oppose any measure proposed by your Grace. I do not think it in the least likely that anything strong will be

done in the General Assembly, at least not with my consent. If we may not hope for a better law than the present, we must set ourselves to work this more wisely and consistently. It is to be remarked that the rejections grow fewer and fewer in proportion to the cases, which has been caused, chiefly by some few of us, who had consistent ideas of the meaning which the act ought to bear, having been members of Assembly the last few years. It is remarkable (perhaps natural), that they who approve the Aberdeen Act generally favour so lax an interpretation as to make it really a *liberum arbitrium*, whereas those of us who dislike it are all, or nearly all, determined so far as we can prevail, that while it remains law it shall be applied honestly, and not evaded.

"Believe me, dear Duke of Argyll,

"Yours faithfully,

"R. LEE."

Again, looking forward to the renewed discussions on the unhappy Aberdeen Act, which might be expected in the Assembly of 1865, he says: "I am well aware that it is very difficult for a body like the Church of Scotland to act upon the Legislature; and the supposed interests of English patrons naturally excite in their minds jealousy and apprehension. Still, if three or four of the great Scotch proprietors and patrons could agree upon some moderate measure, I suppose it might be carried through the Lords, and also, if the Government were favourable, through the Commons. It is proper your Grace should know that the General Assembly is working the Benefices Act, the last three years, steadily against the hypothesis that it is virtually a *liberum arbitrium*. I have myself used my utmost efforts in this direction in the last three Assemblies, and always successfully. If, however, there be no hope of a new law, or of some amendment upon this, we may feel tempted to make it—what in my opinion it is not—a

virtual means of giving effect to the wishes or prejudices of the people, and virtually of abolishing patronage. A large minority always incline to this view; and if they had any decent leader, they would, I think, be able to command a majority. I have always myself been, in my small way, and am now, a defender and advocate of patronage. But unless a new law be introduced, patronage will soon be extinct in all but name—as the Crown patronage is, through the course pursued by the Home Secretary. Of all parties concerned, the *patrons* have the greatest interest in some change of the law—if indeed they consider the patronage of Church livings a property of any value."

Nothing could be done, however, on this subject, until the season of the next General Assembly approached. After the ecclesiastical parliament of any year has been dissolved, there is always a lull in the atmosphere of the Church; and this commonly prevails until within two or three months of the next Convention, when Presbyteries and Synods begin to utter their opinions on all disputed questions, and to concoct new "overtures," wherewith to exercise the genius and occupy the time of the Court.

As I have said, Dr. Lee was summoned to Balmoral, before the Assembly rose. This was one of many visits which he paid to the Castle, as one of Her Majesty's chaplains.

"28th May, Saturday," he says in his diary, "left Edinburgh, 4 p.m.—left Perth with Queen's Messenger at 11.30. Balmoral, Sunday, 8 a.m. At Balmoral read last discourse in 'Family and its Duties.'*

* On the Perishing and the Imperishable, from the text, 1 John, ii. 17,

At Crathie Church, preached from Psalm lxiii. Interview with the Queen; and dined,—the Queen, Princess Leiningen, Duke of Argyll, Lady Churchill."

A slight incident happened on this occasion, which is so quaintly associated with his own recollections of his visit, as to lay his biographer under a kind of obligation to relate it, which I do not like to resist. Talking to me, afterwards, of the members of the Royal Family whom he had met, he specially mentioned Prince Arthur, who had been at Balmoral at this time. Dr. Lee said that after breakfast he had gone out to smoke a cigar, and was trying to strike a light, when he was joined by the Prince, at the door. The match missed fire, and he

"The world passeth away, and the lust thereof; but *he that doeth the will of God abideth for ever.*'

"This is the solution which faith gives to the question which has puzzled man's reason from the first, and has pressed like an incubus upon his heart. The voice that speaketh from heaven reveals the mystery which has darkened the earth since the day when man first became a sinner against God. 'He that doeth the will of God abideth for ever.' Let the words sink into our ears, let them be engraven on our hearts. Let us carry them forth with us into the world, and they will disarm its temptations, preserve us from its pollutions, and dispel for ever its illusions. Let these words go with us to our daily tasks, and they will lighten and sweeten these, telling us that if we perform these tasks as the will of God, we are working for eternity, and building upon the rock. Let these words be present with us also in our trials and sufferings, and they will instruct us to weigh those evils in true balances, and so we shall discover that they are 'light afflictions, and but for a moment.' Let them whisper in our ear when we bend over the death-beds and the graves of our dearest friends. Let them speak to our souls when we ourselves enter the dark valley; and they will make it to be no dark valley of the shadow of death to us; for in the midst of dissolution and the perishing of our outward man, we shall be conscious of the presence of an inward and eternal life derived to us through faith in Him 'who died for our sins and rose again for our justification,' and connecting us indissolubly with the eternal world and the Father of spirits, so giving us a foretaste of endless and unspeakable joy. But the great question for us is, whether we ourselves are, through faith, thus united with that spiritual and eternal world. 'Dost thou believe in the name of the only-begotten Son of God?' is a question which each of us may profitably address to himself. Do we indeed endeavour to study the words, copy the example, imbibe the spirit, walk in the steps of that great Forerunner, who lived and suffered upon earth that He might fulfil the will of God, and who now sits at the right hand of the Father, to certify us that we are safe and blessed in following Him; showing us that he who doeth the will of God, though he may seem most forlorn and wretched, though he may be hated, maligned, and persecuted even unto death, though he may endure every form of outward evil, and be 'numbered with the transgressors,' yet still is a son and heir of God—he abideth for ever."—Page 335.

was looking about for something on which to strike it again, when Prince Arthur, taking it from him, struck it on the sole of his boot, and handed it back duly lighted. Dr. Lee, thanking his Royal Highness, said he would remember this lesson in match-lighting, and jokingly added, that when his biography came to be written it should be recorded that his cigar at Balmoral was lighted for him by Prince Arthur; whereat the Prince had laughed, and said he should be glad to have his name associated with Dr. Lee's in that or any way. As my dear friend told me the story and laughed over it, I little thought it would fall to me so soon to draw up—how imperfectly none know so well as I—the record of his words and deeds,—in which this little anecdote seems, in too early fulfilment of his unconscious prediction, to claim its place.

He spent a few weeks in the neighbourhood of Braemar, rambling about and fishing in the Dee. "Blank idleness," he records in his diary, one week in June; "blank idleness—lounging and fishing and talking." "A charming rustication on the whole," he says, "when it is over." Such hours of idleness were too few with him. After his return to Edinburgh he wrote to me:—

"EDINBURGH, 10*th July*, 1864.

"MY DEAR STORY,

"I was sorry I had not an opportunity of talking with you at leisure after the decision of last General Assembly regarding innovations in worship, &c. I feel somewhat *dark* regarding the future, and should be glad if yourself, or any other prophetic spirit, would cast some light upon it.

"Some members of the Assembly suggested that a meeting should be held of persons favourable to the reform of worship, to agree, if possible, respecting a form of Baptism, the Lord's

Supper, Marriage, and Burial of the Dead, or to take some steps toward such agreement.

"What do you say to this? I would rather hear your thoughts than offer mine. In the meantime, don't speak of this except by way of sounding any ministers who may be favourable. The matter is in my view at present, as our present Church Prayer Book is out of print, and something must soon be done to produce a new edition, which would be a repetition of the present in essential respects, only my adding a Baptismal Service, &c., which the present edition wants, would depend upon what might be judged best by others. The Baptismal Service in the second edition I would not reprint: it is very cold and bald, being taken from the Directory. I have no idea what the man McPherson means, neither has anybody else, so far as I can learn.

"We are making a subscription for an organ, and get on slowly; 250*l.* has been got in a fortnight without any application.

"We propose going to Arran in the beginning of August for a week or a fortnight.

"Believe me,
"My dear Story,
"Yours sincerely,
"R. LEE."

TO THE SAME.

"EDINBURGH, 14*th July*.

"MY DEAR STORY,

"We are all much obliged to you and Mrs. Story for your kind invitation, but we cannot come to Rosneath this summer. It would be too painful, associated in our minds, as it is, with our darling who was there with us so lately, and who enjoyed it so much, and did so much to make us enjoy it. . . .

"I shall endeavour to sound a few of the sympathisers here, and see whether they are willing to take the step you speak of.*

* The suggestion was—and it was made both in the interest of Dr. Lee himself and of the general movement which had begun to follow his—that there should be a common agreement, among those who were of one mind and ready to risk a general step in advance, as to the exact reforms they should attempt, and the services they should adopt, so that Dr. Lee should not act entirely alone, or others act independently of him and of each other.

"I confess I am not very sanguine, however reasonable it may be. Some people have even suggested to me an overture regarding such a procedure;* but I cannot think we are ripe for that. I am also a little afraid that anything a number might agree in concocting would be not likely to meet the approbation of those who judge best. I have made up my mind to print another edition of our present Church Prayer book, but I still hesitate whether I should insert the marriage service and burial service. The baptismal service I will not reprint. Another must be composed, and I am disposed to fall back upon the Book of Common Order. . . . . I think it likely we may have innovation enough by-and-by. We must take care to direct it wisely. Undoubtedly the *Organ* is a small matter compared with a Ritual. We must have something to distinguish us from the Dissenters. I am delighted to find your choir already sing well. . . . .

"Yours always sincerely,

"ROBERT LEE."

His mind was always more or less occupied with this engrossing question of Church reform. Wider views of the amount of reform that might be practicable began to open before him, as he traced in the decisions of successive Assemblies, and of other Church Courts, what he believed to be a spirit of real and growing toleration and liberality, and a reasonable acknowledgment of existing defects. He could not but be encouraged, also, by the general approval of the movement that had originated with him, which was manifested by the Press. Moreover, he was constantly receiving private assurances of the sympathy of many of the clergy. He perhaps attributed too much weight to these. "Honest *courage*," he says in a letter to a friend, "is the most of all to be admired, as being a virtue which demands sacrifice." This was a

* Regarding the adoption of definite forms for the administration of the Sacrament, and other special services.

quality which abounded in himself, but in others was less common than he deemed.

Many a smooth and commending letter came to him from "canny" brethren in town and country, declaring their admiration of *his* courage, and their gratitude for his efforts; but these judicious correspondents, on whose public support he was not unnaturally led to rely, kept the door of their lips with cautious heed, when "innovations" came to be discussed in Church Courts. Still, throughout the country the movement grew and spread. Even a timid minister, with æsthetic tendencies, and an ear for music, felt it was no longer dangerous to introduce a good choir and careful psalmody, and proper postures at praise and prayer. The idea that the Church should be a "beautiful," no less than a "holy," house, and that the service should have a uniform order, gained ground, and was acted upon. "For all such improvements," wrote a friend to Dr. Lee in 1864, "our thanks are due to you, as being the first to assert freedom. As is usual in such cases, many who lacked the courage to support you, and left you to bear alone the brunt of vituperation and abuse, will now have no objections to use the freedom you have gained for them, without one hint as to how it came." One sentence may be quoted in confirmation of this judgment, from the letter of a venerable D.D., of secure orthodoxy, whose brethren would as little have expected him to countenance innovations as "Teneriffe or Atlas unremoved," to leap from his firm seat into "the wine-dark ocean;" and who never said a word in public for Dr. Lee, to whom he writes:— "I would not, if I had the power, any more than yourself, *impose* a liturgy on the Church. All that I would

plead for would be merely to let the end of the wedge get in, by allowing those ministers to use one whose congregations are ripe for the change."

While the support he received from a portion of the clergy was thus, at the best, uncertain and half-hearted, that which he found among the laity was more thorough and cordial. The elders in the General Assembly, it is true, were at least as much against him as for him; but the elders do not represent the laity, though popularly supposed to do so.* The mass of the independent and educated laity was, however, almost wholly in his favour. Nor was this feeling confined to what is called the "educated" class alone. Among his papers are letters from very lowly persons, whose spelling and grammar are by no means perfect, embodying most thoughtful remarks upon his order of worship, or recording their thankfulness for the opportunity which they enjoyed in his Church, of joining in such a service. "I have perused the 2nd edition [of the Prayer book] several times," says one of these humble critics, writing to a third party, "and find it to be as perfect and simple as any liturgy that I know of. Although it wants some of the warmth and beauty of the Church of England liturgy, the work is complete, and suits the forms of Presbyterian worship, which I am sorry to say, in general, is very cold. But thanks to Dr. Lee, he has begun a great reformation in the Church, and may God bless his undertakings." "Reverend Sir," writes another, "I have great pleasure in subscribing 5*s*.

* The elders who sit in the General Assemblies as representatives of presbyteries, are elected by the presbyteries, *i.e.* practically, the ministers. Those who sit for burghs may with more justice be held to represent a section of the laity.

to the Organ Fund; not only because I consider it will be an improvement in the psalmody, but also a standing protest against the narrow prejudice and bigotry which ought to be out of place in these days, but more especially as a mark of my sympathy with you in the determined struggle you have made in the cause of progress for religious freedom. Like all reformers, you have exposed yourself to great obloquy and personal abuse, and therefore it is only the duty of those like myself who participate in the benefits your labours have secured, and who cannot help you in the struggle—at least, to express their grateful appreciation of your services. Being but a working man myself, I think it may afford you some gratification to know that there are many of this class who wish you God speed."

The introduction of an organ, not only for music's sake, but as an assertion of the Church's freedom to employ musical instruments in divine service, had been resolved on for some time. The harmonium, used since the spring of 1863, had been but a preparation for the nobler instrument. The subscription for it was begun this summer, and the organ was ready for use by the following spring. Organs have become so common since that time, that one is apt to think Dr. Lee's phrases exaggerated, when he records the successful accomplishment of his wishes thus:—"22nd April, 1865. —This has been a great day in the Greyfriars' Church, and in the Church of Scotland. The new organ, built by Messrs. Hamilton, at a cost of 450*l.*, subscribed by the congregation, was this day opened, and universally approved and applauded, and a great enthusiasm has been excited. Everywhere the taste for organs, amount-

ing to a kind of *furore*, is showing itself over Scotland. Who could have believed it! In a volume just published by Dr. Boyd, he says in an Essay, written in 1856, that this was coming, '*but we should not see it!*' I bless God that I have been able to accomplish this result,—I may say, without help, except that of my congregation."

In the 9th chapter of "The Reform of the Church," Dr. Lee had reviewed and refuted in a very thorough style the current arguments against instrumental music. Among other points, he notices the Old Testament authority for it, and the rejection of that authority by those opposed to organs, on the ground of its being Judaistic, and cogently remarks:—"When the question is respecting the Christian Sabbath, the baptism of infants, a Church establishment, or any of those things which they advocate, but of which the New Testament says nothing, or even appears by silence to discredit them, they eagerly fly to the Old Testament. . . . . But when, with much plainer reason, we quote the Old Testament to justify our employing musical instruments in our Church service, we are told that the Old Testament is a heap of ceremonies and symbols, and, in short, that it can prove nothing in such matters. It is not decent thus to bring in the Law and the Prophets when we need them against our adversaries, and to throw them out the moment our adversaries may employ them against ourselves."* Similarly, with reference to the Fathers and Reformers:—"As to the authority of those Doctors, whether Patristic, Mediæval, or Protestant, it is requisite we should understand what it is worth, and how far it shall go. Shall it determine the

* Page 125, 1st ed.

question of liturgies and the other matters here discussed? or shall it be pleaded on that one point only wherein their opinion or superstition chances to coincide, if it really does coincide, with ours? The Greek Church shall have authority with us *in standing at prayer*, and Basil and Jerome in disliking instrumental music, but why should their authority be restricted to these points? If it be good for anything, it must be good for a great deal more."

There is no law of the Church on the use of instrumental music. But none has been used in any church in Scotland since 1638, with the single and brief exception of S. Andrew's Church, in Glasgow. The prejudice against a good instrument does not appear to be particularly deep-rooted; and probably the long disuse of the organ—that "holy Nazarite," to use Dr. Bushnell's words, "which goes not to the battle, or the dance, or the serenade, and cannot leave the courts of the Lord," * is owing, as Dr. Lee alleges, to "the apathy and prejudices of many of the clergy, or their weak timidity. I am sorry to say this, but it had best be said; for though it may be offensive to some of them, it is true. They fear the people, whom they fancy such innovations might offend and drive out of the Church. No doubt it is possible to make the greatest improvements in so injudicious a manner as to occasion evils for which their accomplishment could never compensate; but my experience of the Scotch people has taught me to conceive a very different idea of their intelligence and good sense from that which dictates such apprehensions. It is, I suspect, very much with us at present as it was among

* Essay on Religious Music.

the Jews eighteen hundred years ago—the people 'feared the rulers,' and 'the rulers feared the people,' and so they neutralised and paralysed each other. I am strongly inclined to think that any congregation in Scotland would be very soon persuaded to tolerate, and presently to welcome, instrumental music, or any other of the changes advocated in this essay, if only the minister himself have a clear conviction, be a person whom they respect, and have courage to state plainly his opinion and the grounds of it, and if he at the same time show no disposition to thrust anything upon them contrary to their wishes. The case is so clear that it wants only a little good-tempered explanation to convince all those who are not impenetrable to reason, that the feeling against the use of an organ or harmonium in church has no foundation but custom and senseless prejudice. A man must, indeed, be a thorough simpleton, who, having the ear of the people from week to week, and opportunity to reason with them without reply, fifty or a hundred times in the year, does not soon succeed in persuading them of anything that is in itself right, reasonable, expedient, and necessary. Those who fail while possessing such advantages should not blame the people, but themselves." *

After an autumnal rustication on the west coast, chiefly in Arran, he returned to Edinburgh for a busy winter.

"*Nov.* 11.—My sixtieth birthday," he says in his diary, "and the anniversary of our dearest Bella's death. This has been a severe week for me. I had my class

* "Reform," &c., p. 135.

since Tuesday, and two lectures on 'Reading' at the Philosophical Institution—quite too much for one week; but the night cometh, &c.!"

Although he had now been a professor for many years, the management of his class had not become with him, as it does with some, a matter of easy routine. He was constantly adding fresh material to his prelections, and weaving into the business of his class everything that interested himself in the theological questions of the day. In the absence of any Chair of Pastoral Theology (which is not provided in the equipment of Scotch Divinity Halls), he frequently introduced advices to his students on their professional work—studies, preaching, Church services, &c., which were of much value. I find, for example, the following hints on preaching, which were addressed to his students more fully, no doubt, than in this outline, about this time:—

"All Scripture is profitable, but not all to be preached from; the Old Testament less than the New, and in the New itself, the controversial less to be preached from. In every sermon have a distinct purpose in view—to enforce some *truth*, or some *duty*, and keep this constantly before you. Nothing conduces so much to attention and impression as a clear and visible *order*. By this I don't mean many heads and particulars. In proportion as you can make all you say bear upon a point, will be the strength of the impression. The strength of your discourse should be toward the conclusion. First, explanatory matter; next, argumentative; and, last, the *hortatory*. Avoid weak and watery conclusions.

"What is called textual preaching appears to me a great mistake—hardly compatible with unity. Choose a subject, and bring all the principal texts to bear upon it. The only legitimate textual preaching is *lecturing* or exposition, when your ultimate object is to say what the text says, only more fully and expansively. As a general rule, have *long texts* and *short*

sermons. Avoid *long preaching.* Nobody really likes this; *i.e.*, nobody likes to be tired. Especially while you are *preachers* attend to this.* Above all things, avoid long prayers.

"We must have regard to the *kind of people* we preach to; and this is one of our greatest difficulties, that people of such different grades and classes are to be addressed, also so many young persons and children. This makes it necessary, as a general rule, to consult plainness, especially in language. Indeed, it is bad taste to affect finery in style, as it is in manners or dress, and very unsuitable for such subjects as are handled in the pulpit.

"We must *interest* the people; and for this the first rule is, we must feel interested ourselves. We must have freshness in our preaching, for which we must try to look, observe, reflect, think, judge for ourselves. There is a freshness about every man when that man *appears* what he really *is.* Tradition, repetition of other people's thoughts, &c., smells fusty. A grand rule is, Be yourself; but you must fairly bring out yourself, and, what is more, you must have a self to bring out.

"To be a really good preacher requires a rare combination of qualities—piety, earnestness, wisdom, much learning, great knowledge, especially of Scripture; besides many other qualities—logic, sensibility, a dash of poetry, also a good voice, and much acquaintance with mankind, and *tact.* Last of all, *conscientious diligence* from year to year. No man is so much tempted to easy methods as the minister; perhaps there is not a man in the parish who can judge of style, or appreciate a well-composed sermon. He is very apt, therefore, to persuade himself that labour would be thrown away. Careful preparation is never thrown away upon any congregation. The *manner* of delivery should be far more studied than it is. This cannot be accomplished in a few lessons. It needs so much practice that bad habits may be corrected, and a natural, easy, and, if possible, a forcible manner acquired. However, there must be no *appearance* of acting—nor, indeed, should there be any *acting.* This has an appearance of artifice, which spoils everything. The roughest manner is better.

* That is, while merely "licensed," and before becoming ministers of a regular charge.

"You should not, at first, attempt to make many sermons. You will only find out gradually what style suits you—what is effective, what flat and poor. While yet preachers, write sermons on *general* subjects, and put a great deal of matter into them. Let them be rich in thoughts, facts, and illustrations, and be thoroughly master of them in every respect; and, preserving the modesty which is becoming in youth, look like men that have something to say. Always make a point to preach so that the hearers may carry away a good deal of what they have heard. Vague, dreamy trash may tickle their ears while they hear, but it is like a dream when one awaketh.

"No good preacher ever long wants a church of some kind or other. Hundreds of bad ones, if we may call them bad who cannot preach at all, get churches—a great evil, but, I fear, irremediable."

The problem of National Education still remained unsolved in Scotland. A bill recently passed, had released the parochial schoolmasters from signing the Confession of Faith; had provided for a higher rate of salary and a more efficient examination before appointment; but had not established a general system commensurate with the wants of the country. A Royal Commission had been issued with the view of paving the way for farther and more thorough legislation; and the Commissioners, sitting in Edinburgh, took oral evidence during the winter of 1864-5. Dr. Lee, among others, was summoned before them. He enounced, in his examination, the principles to which he had long been faithful, in favour of the separation of religious and secular education, and against the denominational grants; but he stood nearly alone in doing so. The mass of the other evidence leaned heavily towards the combination of religious and secular instruction, and the continuance of the denominational grants.

I make some extracts from his evidence.

"You attach no value to the connection of secular and religious education?" asked the Duke of Argyll, who was Chairman. Dr. LEE:—I think it a great obstruction to religious education.

"In what respect?—I have always found that when two or three men are expected to do the same thing, it is ill done. When we have three examinations of a student for a particular thing, the first examination trusts to the second, the second to the third, and among the three there is not a good examination. At present the minister trusts to the schoolmaster to teach the children religion; the parent trusts to the schoolmaster; and the schoolmaster trusts to the parent, and among the three, religion is extremely ill taught.

"Then you think that, as matter of fact, religion is extremely ill taught in all the existing schools in Scotland?—The only systematic religious instruction generally is that of the day-teacher, who whips it into the scholars, and that is not teaching religion at all. The parent trusts to that, and the minister trusts to it, as I know by personal experience; and the consequence is, it is very ill taught.

"Do I understand you to point to a system in which the schoolmaster should have nothing whatever to do with the religious instruction of his scholars?—Nothing whatever.

"You are of opinion that the school system of Scotland should be entirely secular?—Yes.

"To whom would you trust for the religious education of the children?—To the pastors and the parents.

"Would you make any provision to secure that the pastors should give religious education?—That belongs to the Church.

"You would leave it to the various religious bodies, and the parents, to provide religious instruction separately, at another time and place?—Yes.

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"Is there not a considerable number of persons in every large community, and especially in large towns, who belong to no Church whatever?—Some years ago, when some zealous persons wished me to establish a new Sunday-school in the Greyfriars' parish, my deacons went through the parish, and they found that every

child, with the exception of two or three, was at a Sunday-school; and I know for a fact that all attend some Sunday-school, and some attend two or even three. There is such competition between religious bodies, that instead of the children being at no Sunday-school, they are at two or three.

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"You speak of the possibility of a separation between religious and secular instruction; but do you think it possible to separate the subjects?—It is as easy as to separate the Shorter Catechism from the making of a shoe.

"Do you think it possible for a schoolmaster, if he is free to do it, to teach irreligious doctrines in the teaching of history?—We cannot avoid that in any case. If I apprentice a boy to a shoemaker, the shoemaker may teach him irreligion; if I send him to a dancing-school, the teacher may teach him irreligion.

"Do you admit that the fact of the teacher being a member of a religious body, is to a certain extent a security that he will not teach secular instruction in a manner which conflicts with Christianity?—I don't think so at all. I think the only security is what people have when they send their children to be taught dancing or music, or anything else, viz., to select a man in whom they have confidence. I believe there is no other security whatever.

"We have had numerous witnesses who have stated that they have such confidence in the present state of feeling amongst the parents of Scotland, that they know they will not elect as a teacher one who will not teach religion. But supposing there is an entire separation between secular and religious instruction, and that it is free to local parties to elect anybody, don't you think it possible that, in the teaching of history, which comes in contact more or less with questions of religion, it would be easy so to teach the children as to conflict with the doctrines of Christianity?—Of course it may be done. It may be done in teaching science or anything whatever. If a man is determined to do it, he can bring it in by ways that you cannot avoid.

"You attach no importance to the system which connects the teaching with the membership of a Church?—Not in the least.

"You would not contemplate in an Act of Parliament an

enactment such as there is in the Act as to the Universities, that the teacher shall not teach anything contrary to the doctrines of Christianity?—I think it is not worth the paper that it is printed upon.

"Have you any suggestion to make as to the mode of supporting these schools, as to local assessment?—I should say, if a system of that kind were seriously contemplated, the country should be divided into school districts. The division of parishes is very inconvenient, both for churches and schools. I should imagine that a great many difficulties will be overcome by making school districts, and then assessing the property within these districts in some way or other.

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"Mr. DAVIDSON:—Do you think a national secular system a possible system to be adopted in this country?—If the Government would take it up, I have no doubt it is quite possible. People in this country, when they understand a thing, always come to approve of it if it is just and right. I have no doubt that if it were fairly and boldly taken up by the Government, they would get a great deal of support which they don't now count on, even in Churches.

"Lord ARDMILLAN:—May I ask if a system, neither declared by Act of Parliament to be secular, or to be mixed religious and secular, but simply left free to the management of certain local boards, subject, of course, to proper inspection, would not be satisfactory?—I think not. The consequence would be that the bigots in the neighbourhood would compel the teacher to teach what they liked. It would become oppressive to the minority.

"Then your opinion would be, that if it were so left free, the result would be the actual religious instruction of the people?—And of the most bigoted kind.

"I presume of the most Calvinistic kind?—'Calvinism' is a very wide word. There are very different phases of Calvinism. Many things are thought to be Calvinistic which are not so."

Having urged that the religious instruction should be given by the parents or the minister, and not driven into the children with the *argumentum ad baculum*, he was

asked by one of the Commissioners, a believer in the sovereign efficacy of the "taws"* :—

"How would you secure the religious teaching of young children if they did not make themselves masters of the subjects given them,—how would you compel them or draw them into learning the lessons?—A minister who has any influence with his people, which every minister of common sense has, would enlist the parents into teaching their children; and the most important thing is, that the parents should take an interest in it, and do the most of it. They will themselves learn by teaching their children. In most parishes you can get young men, who may be employed as deacons or otherwise, to establish Sunday-schools in different localities, and to secure the co-operation of the parents in getting the children to prepare their lessons, the minister exerting his influence, and encouraging all parties; and I think in that way the thing would be done far more effectually than at present.

"Then do I understand that you would not approve of any system for teaching religion, by which the scholar would be punished in any way for not going through the lesson prescribed for him?—I should be very sorry to whip a child in connection with religion, unless it were for violation of a moral law.

"Would you exclude that?—My principle is, as little punishment as possible.

"You said your great objection to the schoolmaster doing it in school, was whipping it into the children: do you think the historical parts of the Bible would be learned by a number of young children, without some means being taken for the purpose, if they failed to do so?—I should rather they did not know the historical parts of the Old Testament, than be whipped in connection with religion.

"Would you exclude prescribing tasks as a punishment?—I should not like to lay down any absolute rule; but I think it ought to be a principle not to connect whipping and punishing with the teaching of religion.

"Would you exclude punishment of every description,—I

* "He'll never mak' onything o't amang huz,—he dis'na understaun' the skelpin' system," was the verdict on a new teacher with "humanitarian" notions in a school in my neighbourhood.

don't mean corporal punishment only, but punishment in the shape of prescribing a task?—If I am driven to say yes or no, I should say I would exclude punishment; because no man is a proper person to teach religion, if he has not power to influence the children, without resorting to punishment. If he has to do that, he is not a proper person to be a religious teacher.

"Do you think the whole population of the country would learn their lessons, connected with religious subjects, without punishment or tasks of some kind?—Yes, as far as they can learn it at all. God is love; and religion can never be whipped into any one."

"Is it a fact," asked the Chairman, "that the Shorter Catechism is taught more by whipping than any other branches of instruction?"—"Much more," replied Dr. Lee, "because it is much more difficult to learn than anything else that man can conceive."*

The existing stumbling-blocks in the path of Scottish National Education would probably have been more easily surmounted, had the Commissioners given weight to some of these suggestions.

We begin, by this time, to miss those long and leisurely records of his thoughts and doings, which his earlier Diary and common-place books afforded. The growing and manifold pressure of affairs left him no time to carry on these records. The common-place books are given up; the Diary exhibits wide blanks, and instead of its former comprehensive chronicle, there are mere notes and memoranda of constant engagements, readings, writings, meetings, &c., &c.,—the bare landmarks or milestones of a busy public life. Perhaps in these days, after all that he had suffered, and so much of the light had faded from his hearth, he cared less than formerly to keep a register of the private history from which the

* Education Commission, 1st Report.

brilliance and the joy were gone, and on which deep shadows from the silent land had fallen. At the end of his small Diary for 1864, there are some lines, which no doubt reflect the feeling with which he now regarded the years as they passed away.* They are those by Lord Houghton, suggested by a remark made to Sir David Wilkie by a friar who was showing him a picture of the "Last Supper," which hung in the refectory of the convent :—

"Lifeless? Ah no! while in my heart is stored
The memory of past friendships dead and gone,
Familiar places vacant round the board,
And still the silent supper lasting on.
When I recall my youth—what I was then,
What I am now—and you beloved ones all,
It seems as though *these* were the living men,
And *we* the painted shadows on the wall."

In the earlier part of this winter he prepared the new edition of his "Order of Public Worship." It was published in 1865.

He never allowed himself, through any stress of work or engagements, to fall behind in his reading—either theological or general — but sedulously kept himself abreast of the educated world. Among the books he notes as read this winter, are Bryce's "Holy Roman Empire," McLauchlan's "Early History of Scottish Christianity," Guizot's "Meditations," Tischendorff's "Index to the Codex Sinaiticus," Hagenbach's "Rationalism," McLennan on "Marriage"—"very acute and curious"—Vambéry's "Central Asia," Draper's "History of Civilisation," Kirkus' Essays; besides reviews and articles in

* He had two diaries; one a large quarto, the other a small yearly almanac with space for a few lines under each date. The latter is the one now almost exclusively used.

many and frequent periodicals. He wrote busily, too—among other things, several articles in his favourite organ, the *Scotsman*. There are, in particular,* four leaders on Church questions, suggested by the proceedings in the English courts *in re* Dr. Colenso, in one of which (January 7, 1865) he discusses the existing subscription required of ministers and elders by the Church of Scotland; and in another (January 14) illustrates with much force the blessings of the "freedom of synodical action" as possessed by the Scottish Church, and desired by a section of the Anglican, in the prosecutions and depositions for heresy, which drove out Professor Simson in the last century, and Mr. Campbell, of Row, Edward Irving, and the less known but not less unjustly deposed Mr. Wright, of Borthwick, in more recent years. Pointing out the rigid strictness of subscription and adherence to the Confession of Faith required and expected from Scottish ministers, he says that the rigidity of the law is aggravated by the way in which it is administered—"the strictness of the administration is yet more remarkable than that of the law itself," and this arises, he maintains, from the very fact that clergymen are the administrators.

"The House of Lords, under the guidance of great lawyers has undoubtedly made the ecclesiastical law more liberal than it was intended by its framers. They have felt themselves justified in taking into account the general character of the Church, as a compromise between two extremes—its comprehensive spirit—considerations of public policy and general expediency—the unfairness and cruelty of pressing too far subscriptions which must always be taken with an understanding, however *bonâ fide* in the general intention and meaning of the

* 28th Dec., 31st Dec., 1864; 7th Jan., 14th Jan., 1865.

subscriber. They have therefore ruled that everything should be held allowable to be believed and maintained by a clerk which was not distinctly, expressly, and formally contrary to the Book of Common Prayer, the Articles of Religion, and other formularies. Nay, it was decided (in the Gorham case) that if it could be shown that a tenet had been held and taught by a considerable number of eminent divines of the Church of England at different times, a clerk was not to be punished for believing and advisedly maintaining it, even though the tenet itself was apparently inconsistent with the formularies of the Church, and reputedly heterodox. In other words, Tradition—to which the Church of England had always attached considerable importance—was allowed a certain weight in pronouncing judgment in cases of alleged heresy. It is easy to see that ecclesiastical laws, administered by men who, besides being laymen, were also statesmen and men of the world, more concerned about the practical interests of religion and morality than about the distinctions of speculative theology, should thus gradually liberalise the laws, until at last the interpretations became more comprehensive than was in the mind of the Legislature in passing them. When clergymen, on the contrary, are the judges, the opposite has always taken place, and always will. For clergymen never can be brought to understand that what they have to decide in such cases is not a matter of opinion, but of law—whereas they always make it a matter of opinion. This is not only natural, but inevitable; and 'the freedom of Synodical action,' exercised the last one hundred and eighty years in the Church of Scotland, confirms and illustrates this in the most impressive manner. The Church Courts of the Scottish Establishment, not content with enacting and seeking from Parliament the enactment of the strictest and narrowest laws, have interpreted these laws uniformly, or almost uniformly, in the strictest manner, and in the narrowest spirit; so that, sectarian as the constitutions and regulations themselves might be, the judicial interpretations were far more so.

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"The case of Mr. Wright, minister of Borthwick, which happened just before the Disruption of 1843, is a much more flagrant example of the manner in which clerical courts manage matters of law and justice.

"This gentleman was accused before the Assembly of teaching heretical doctrines; and in the libel or indictment were exhibited a number of extracts from works (alleged to have been published by him) in support and confirmation of the charges. Mr. Wright pleaded that the extracts did not bear the sense imputed to them, or that they were unfairly made, being torn away from the context which explained or modified their sense—that he was willing to give explanations which he hoped might satisfy the Church—and if anything he had written was really inconsistent with sound doctrine, he was prepared to retract, &c. The Moderate party thought it unjust, and even scandalous, to proceed against a man of whose writings very few members of the Assembly had read a page, and that time at least should be allowed the defender to give his explanations, and the Assembly to acquire some acquaintance with the alleged facts, before giving judgment upon them. But this just and equitable proposal—as it may seem—was scouted by the leaders of the Evangelical party, who were determined to depose the accomplished and blameless man; and he was deposed accordingly, protesting that he did not hold the opinions imputed to him—as John Huss was burned by the Council of Constance, on the charge of believing doctrines which, with his dying breath, he disavowed and renounced.

"Some of our English readers may impute all this to the *perfervidum ingenium Scotorum*, which confessedly is most perfervid in its ecclesiastical manifestation. But this would be a gross mistake on their part. It arises out of the very constitution and working of clerical nature, when called upon to act in such matters. These Scotch Presbyterians were not sinners above all other men of their profession, because they did such things. The English Convocation would do the same, or much the same, if it had similar opportunities and were similarly tempted. This has been proved in a thousand ways. Mr. Gorham and men of his stamp would find as little mercy from the Bishop of Exeter, Mr. Wilson from the Bishop of Oxford, Dean Stanley from Archdeacon Denison—as Irving or Campbell, M'Lean or Scott, Wright or Simson, found from the General Assembly. In such cases clergymen cannot act as judges—they act as parties; and they are parties with all the partialities, prejudices, and blinding passions which belong to

parties and partisans. If Providence permit the English clergy to acquire the jurisdiction which a portion of them now seek, it will assuredly be in wrath, and for the dishonour of themselves and the injury and perhaps ruin of their Church. If they would reject such warnings as coming from schismatical Presbyterians, let them listen to their own wisest men and most zealous friends, who have often before said the same thing."

His sermon-writing was not neglected. His notes bear proof of his accustomed diligence in this department of work. The sermons, however, are as a general rule, not written out so elaborately as of old. More is left to the spur of the moment. The thought is there, but the dress is left, in many paragraphs or sentences, to be developed in the course of delivery. He found this style of preparing his sermons suit him. Such was the vivacity of his mind, and the natural accuracy and fluency of his speech, that many of his most suggestive remarks were woven into his discourse as he spoke, and cannot be traced in his MS.

He considered it his duty to preach, when occasion offered, in other pulpits than his own, on the subjects of worship and Church reform and progress, which he thought were probably seldom, if ever, touched upon by the clergy generally. From the criticisms sometimes heard, it may be inferred that he, on these occasions, did not always make sufficient allowance for the difference between his own congregation and others, and attacked idols, still too dear; or propounded doctrines, for which the ordinary mind was not quite prepared. This appeared to be the case when he preached in Glasgow once or twice this winter. All he, personally, records, however, is "Mem.: never go to Glasgow in

winter. The bad weather and the good living being both dangerous."

One marks now for the first time a hint here and there of less elastic health and spirits—the first shakings of the tent. Thus, "Jan. 14, 1865, Committee of Club, 12·30. College, 1 p.m. Ditto, 2 p.m., and 5 p.m. Very weary." Again, "18th. Wrote Reform—very feeble and stupid." "19th. Bad headache in class and afterwards."

His attention appears about this time (1864-5) to have been often turned to the state of the English Church, directed to it by the interesting questions of doctrine and discipline before the English Courts, and also by certain proposals as to the possibility of an ultimate union between it and the Church of Scotland, which will be described in the next chapter. Much as Dr. Lee admired the English Church, and respected her safely guarded liberties, he had no special leaning either to Episcopacy as a form of Church Government, or to the English Liturgy as a model of Church service. He had not the faintest faith in Bishops; and he had such strong rational objection to many things in the Book of Common Prayer that he was perhaps too insensible to its venerable majesty and beauty.

Nothing annoyed him more, showing as it did a blank misapprehension of his principles and opinions, than the vulgar charge often made—that he was "playing at Episcopacy" (whatever that game might be), and the frequent remark "If we are to have a liturgy, let us have the English liturgy at once." He grew impatient of the stupidity which expressed itself in this fashion,—which would deny his right to prepare and use a form

of prayer in perfect accordance with the laws and doctrines of his Church, and profess its preference to accept the liturgy of another Church, with its unalterable rigidities—with, among other blots, the Baptismal Regeneration of its Baptismal Service and the antique indecencies of its Marriage Service; and against which much of the Church history, and civil history too, of Scotland, had been a passionate protest. Referring to the obligation laid, on pain of penalties, upon the English clergyman to deal out to his congregation the wholesale damnation of the Athanasian creed, and to use, in their order, the imprecatory psalms, during divine service, he says,—

"Upon the 22nd day of each month at morning prayer, the Church of England addresses, as follows, the Father of mercies and God of all grace, whose Son Jesus Christ has taught us 'to love our enemies,' and 'bless them that curse us,' and be 'merciful as our Father is merciful':—

"'They have rewarded me evil for good; and hatred for my good will.' Verses 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 28.—Ps. 109.

"And upon the 28th day of each month at evening prayer, the same Church prays or praises, in these words:—'Oh, daughter of Babylon, wasted with misery, yea happy shall he be that rewardeth thee as thou hast served us. Blessed shall he be that taketh thy children and throweth them against the stones.' —Ps. 137.

"The ministers of the Church of Scotland, when tempted, as some of them may sometimes be, to envy their Anglican brethren some of their advantages, should give God thanks that they are not required and bound by Act of Parliament, to adopt Jewish curses and imprecations in their addresses to God, as if they forgot that some things under the old dispensation were permitted both to be done and said 'on account' of 'the hardness of their hearts,' and that we are no longer 'children under the elements of the world,' but are called to be perfect as our Father in Heaven is perfect. 'For the Son of Man came not to destroy men's lives, but to save them;' and His apostle

in the spirit of his Master, has taught us—'Bless them that persecute you: bless, and curse not.' Much has been said against the damnatory clause of the Athanasian Creed. And doubtless it is an awful thing to be required by Act of Parliament to hand over, as an act of Christian faith, literally the whole human race 'without doubt to perish everlastingly.' But the use made of these cursing prayers is incomparably worse. In the former case we may 'tremble to believe;' in the latter, if we know what we are saying, we ask God to curse and destroy those who are his children and redeemed, as well as ourselves, with the precious blood of Christ. But perhaps this may be felt by some to be no burden, but rather a duty and a privilege; and if Parliament or the Judicial Committee of Council, should permit the English Church to cease from these cursings, we might find many thousands of her clergy signing a declaration refusing to be made free from that obligation."

Again, speaking of the alleged comprehensiveness of the English Church, and, by implication, of the Scottish Episcopal Church, which the Bishop of London, in a speech at Glasgow, had extolled, he says,—

"The Church of England is indeed a wide and most comprehensive body, embracing men (both laymen and clergymen) of almost every shade of religious belief, from pure Catholicism on one hand, to pure Calvinism, or even Antinomianism on the other; not to speak of Voluntaryism, and perhaps Unitarianism. That it comprehends many Swedenborgians among its clergy, is well known, for some of these have published expositions of Swedenborg's system. It includes many clerks who hold that every word in the Book is inspired and authoritative, and not a few who teach that a large portion of the Old Testament, at least, is not historical, *i.e.*, is legendary, fabulous, and mythical —as much inspired of God, and as worthy of credit, as the story of the Argonauts, or the nursing of Romulus and Remus by a she-wolf, *et cetera, plus famæ quam fidei habenda.*

"——, following the Bishop of London, extols this as a perfection of the English Establishment. This point I shall not at present dispute. But if it be a perfection, and not a scandal

and a stumbling-block, as many good men think it is, to whom are we indebted for the perfection? Not to the Church of England herself, but to others—the lay judges on the Judicial Committee. It is true the Bishop of London coincided with the judgment of these lay Lords, but it is notorious that almost the whole bench of Bishops, instead of either rejoicing in this state of things, or extolling it as a perfection of the Church, have, ever since the judgment was pronounced, spent their utmost zeal in denouncing the supposed 'perfection' as subverting the Church, as inconsistent with Christian faith, &c. And have not many thousands of clergy, by signing the Oxford Declaration, asserted the same, affirming that this 'liberty' is inconsistent with, and subversive of, the doctrines of the Church of England. Accordingly, Dr. Colenso, one of the representatives of that freedom, and the occasion and one instrument of its attainment, has been inhibited from preaching in more than one diocese in England. If, therefore, this 'Church room,' which —— enjoys since he became a Dissenter from the Church which is established by law in Scotland, and in which he was baptized, be a perfection in the Church of England, it is evident that the Church of England itself neither knows this nor believes it, but denounces and repudiates the thing as really corrupting instead of glorifying their Church. How many of the prelates are willing to accept this as 'one of the Notes of the Church?'

"But supposing this 'Note' really to characterize the Established Church in England, will ——, or any one else, be good enough to prove that it therefore characterizes the Scottish Episcopal Church? Does *this* Church hold, with the Judicial Committee, that a clerk may advisedly teach such tenets and opinions as those contained in the 'Essays and Reviews,' and yet have done nothing in violation of the constitution of the Church of England as by law established? Is it willing to acknowledge Dr. Colenso, Mr. Wilson, or Mr. Rowland Williams, as clergymen and brethren, and to employ such to officiate in its chapels? If not, it wants that very width, liberality, and comprehensiveness, which is claimed for it. If it does acknowledge these learned men, it abjures that claim to be a witness for Catholic doctrine, in which it has gloried hitherto; for nobody will pretend that the Rationalism of the 'Essays and

Reviews' and of Dr. Colenso is not quite opposed to Catholic teaching."

Commenting on the Baptismal Service, he says,—

"LONDON, *8th May*, 1865.

"Yesterday I witnessed the public baptism of three children, in S. John's Church, Paddington. Not having been present at this ceremony for many years, I endeavoured to put myself in the position of the impartial spectator, that I might form as candid and just a judgment as possible of the ministration of this sacrament in the Church of England. The impression left upon my mind was far more unfavourable and much stronger than I had anticipated.

"I admit that the office for baptism is generally beautiful and impressive, and also that the whole doctrine of baptism is to us obscure and difficult, and particularly so the doctrine and practice of infant baptism; I admit also that the act of the minister taking the child into his arms to baptize him, is a more significant manner of exhibiting the baptism of the child into the Church than is our custom of baptizing the child in the arms of the parent; and I feel no disposition to raise objections to *the threefold sprinkling*, or immersion, and the marking the child's forehead with the sign of the cross—which additions, however, as wanting all due warrant and authority, had surely *be better* omitted, though tolerated perhaps where they have long prevailed, and are agreeable to the people. Though I feel little inclination to insist upon objections to these things myself, as considering them of secondary importance, yet, for that very reason, I contend that they should not be imposed in cases where either the minister or the people, *i.e.* the parents, have scruples on the subject. Passing by these objections, what shall we say of the doctrine of Baptismal Regeneration, which is not only distinctly recognised, but asserted and taught in this service? For the priest not only pronounces 'the child regenerate and ingrafted into the body of Christ's Church,' but 'yields hearty thanks to God that it hath pleased him to regenerate this infant with His Holy Spirit,' &c.; and consistently with this, we find it declared in a note, at the end of the office, that 'It is certain, by God's word, that children

which are baptized, dying before they commit actual sin, are undoubtedly saved;' which words, besides implying that those children who die unbaptized are not saved, or cannot be known to be saved, plainly teach that the nature of the baptized child has been changed or regenerated in baptism; so that, dying without this ordinance, he is damned as a partaker of original sin; but having partaken of it, he is a child of God and an inheritor of the kingdom of heaven.

"These doctrines, though of venerable antiquity and wide acceptance, certainly want any express or distinct warrants of Holy Scripture; and notoriously they are contrary to every fact which should verify and confirm them. The child that was baptized and so regenerated and made a child of God, exhibits no appreciable difference, as he grows up and develops his disposition and character, from another who is still, according to the theory, a child of the devil, polluted with original sin, and, therefore, lying under the curse of God. Which facts, demonstrated by millions of proofs, illustrated by the examples of whole nations and generations, show that the regeneration in question does not take place in or by baptism, or that it amounts to nothing at all; that 'grafting into the body of Christ,' and 'being regenerate with the Holy Spirit'—that these grand phrases are mere empty words, high-sounding nothings, the dictates and the means of superstition.

"Throughout this whole service, the minister or priest, assumes to be the depositary and channel of the Holy Ghost, as the bishop does in the Ordination Service. But neither the one nor the other is, or can be so, for neither of them has the Holy Ghost to communicate, whatever may be here meant by the Holy Ghost, whether the miraculous gifts of the Spirit, or the ordinary sanctifying and illuminating influences of the Spirit, or the third person of the Trinity himself.

"The priest does not himself *possess* the supposed gift in the first or third sense, and perhaps not in the second; but if in the second, it is personal only, and uncommunicable. The Apostles, indeed, as we read in the New Testament, had power to bestow the Holy Ghost in the first sense. *They* had authority given them to confer the Holy Ghost, *i.e.*, miraculous powers upon others; but those Apostles possessed miraculous gifts themselves, and, what is very remarkable, and very per-

tinent to this inquiry is, that though the Apostles could confer miraculous powers, it does not appear that they, or any of them, could confer on others the power of conferring those powers. This was a privilege peculiar to the Apostles, and does not appear to have been shared by any of their contemporary Christians, or by any of their successors.

"We are indeed asked to receive the miracle of baptismal regeneration on the divine testimony, the organ of which is the Scriptures; and on that of the primitive or early Church. So the Roman Church requires us to receive the miracle of *Transubstantiation, i.e.*, we must reject the evidence of facts, of experience, of reason, of our own senses, and of the senses of all other men, and believe those who interpret the Scriptures in a manner dictated by ignorance, superstition, and self-interest.

"The common reply is, 'what, then, if not this, does baptism effect? It surely does, as well as signifies and represents, something. The child must be the better for being baptized in the name of the Father, of the Son, and of the Holy Ghost—else why baptize him?'

"This, though a popular, is but a poor and shallow reply. We may demonstrate that one theory is false without being obliged to demonstrate or even to suggest the true theory, except so far as may be implied in our demonstration. *Phlogiston* may be conclusively expelled, though we are not prepared to show what principle has right to assume the honour of which he has been denuded; as Protestants do still differ regarding the nature of the Lord's supper, and the meaning and effect of the words, 'This is my body,' though they all agree that *Transubstantiation* wants support in Scripture as well as in fact.

* * * * *

"The admission of sponsors in infant baptism, and particularly the substitution of them in room of the parents, has been much objected to, and surely with good reason. When heathen children were brought up as Christians by Christians, this was natural; and it might be tolerable that others should stand sponsors for the children of Christian parents to the effect of undertaking the duty of the latter in case of their death or incapacity to perform it themselves; but that the

Christian parent should stand aside and see other persons make certain professions and undertake certain duties for his child, which duties those other persons never intend to perform, while the parent who is really responsible is excluded, is an outrage on truth, propriety, and common sense, to which only custom could reconcile any population or any person. It is intensely preposterous as practised among a people professing Christianity.

"I do not insist upon the curious and unedifying fiction by which the sponsor professes in the name of the child that he 'steadfastly believes all the Articles of the Creed,' 'renounces in the name of the child, the devil and all his works, the vain pomp and glory of the world, &c., the carnal desires of the flesh, &c., &c.', and then is asked the curious question, 'Wilt thou be baptized in this faith?' and having answered, 'that is my desire,' is *not* baptized and may not be. Notwithstanding all these declarations, the *child* is baptized—who is another person, or rather is not yet a person at all. No sophistry can give to such contradiction even an appearance of reason, truth, honesty, or common sense, that an infant should be held to have, and to profess faith, by another person professing it, and that one person should be baptized because another person makes a profession which is not true in the name of that other person (and may probably never be true). All these contradictions are exaggerated by admitting, or rather requiring sponsors to take the place of the parents; for all that any person can undertake for another, whether infant or not, is to do his best that that other person shall believe the creed, resist the devil, crucify the flesh, &c., and as this is all the sponsor can possibly do, it is all he should promise or undertake, or be asked to undertake. So we manage in this embarrassing custom of baptizing infants. We (I mean Presbyterians) ask the *parent* whether *he* believes and will study to keep God's commandments, and will so bring up the child that he also may be induced (by the grace of God) to believe and obey in like manner. In other words, the *parent* makes professions and promises in his own person and for himself alone; and the child is baptized, not upon the fiction that *he believes* and will obey, but that the parent will use his best endeavours to assist and induce him so to do.

"This may not satisfy all conditions involved in infant baptism; but, at least, it involves no contradictions or absurdities."

We must now turn to those proposals for a union of Presbytery and Episcopacy to which I have alluded.

CHAPTER III.

SCOTCH EPISCOPACY.—HISTORICAL SKETCH.—PROPOSED CONFERENCE WITH A VIEW TO UNION.—ITS POSTPONEMENT.—DR. RORISON AND DR. LEE.

"A blight hath passed upon the Church,
Her glory is departed,
The chill of age is on her sons,
The cold and fearful-hearted;
And sad, amid neglect and scorn,
Our mother sits and weeps forlorn."
Songs of Christian Chivalry, 21. (1848.)

THE history of Episcopacy in Scotland is not a heroic history. The order of bishops has had the misfortune to be associated in Scottish annals less with honour than with disgrace. Much that is least creditable in Scottish policy is traceable to them, or to an infatuated belief in their prerogative. Stubborn disbelief of that prerogative, rejection of prelacy in any shape, as a thing in Scotland, at least, proved absolutely hostile to men's liberties and God's kingdom, has done more than aught else in days past, to develop the best parts of the national character. But along with the development of the best parts, has gone the development of the worst also. When men fight against an overbearing enemy, whatever grim tenacity, dogged self-reliance, hot enthusiasm, strong faith, sober patience, and self-control may be evoked,—too commonly hate, and jealousy, and bigotry, are evoked along with them. So it has been in Scotland.

The nation, which began its new life under Knox, in some sense "a unanimous hero nation," — though ignorant, hasty, rough withal,—emerged from the fiery trials, turbulent changes, godless persecutions, which lasted with few pauses from 1610 to 1688, with far deeper faith, higher ideals, nobler capacity of sacrifice, purer moral instincts than before,—yet divided, intolerant, dogmatic, narrow.

During almost all that time there had been a bitter conflict, not so much between Presbytery and Episcopacy, as between Liberty and Despotism. The Presbyter was the symbol of freedom—the Bishop of tyranny. None love tyranny, or the instruments of it; and there grew up in the Scottish heart in the 17th century a stern hatred of Episcopacy, as beheld in Scotland, which has not died out yet. And no wonder. Except the history of the Dutch in the days of Philip the Second, no history shows pages stained with more cruelty, oppression, and thorough godlessness of government, than that of Scotland, under Charles the Second and his brother. Of all this wrong, the bishops, directly or indirectly, were the cause. The successors of the Apostles, the chief shepherds of the flock, entered the fold with retinues of wolves around them. Their crosier was the sword, and the emblems of their *Jus Divinum* were the boot and the thumbscrews.* It needs all the saintliness of Leighton to redeem the name of

* That the spirit, which animated the savageries of the government of Charles and James, is not yet quite extinct, would seem to be proved by the fact that a Scottish writer of what is called history, and a violent apologist of the Episcopal party of the seventeenth century, is not ashamed, in these times of advanced civilization, to defend and to characterize as "an instruction not of barbarous cruelty, but of careful criminal justice," a statute which ordained that *women* found guilty of the enormous crime of active sympathy with the persecuted Presbyterians, *should be* DROWNED. The name of this cavalier is Mr. Mark Napier, and the work in which this Christian sentiment is embalmed is his "Case for the Crown *in re* the Wigtown Martyrs," &c.

Scotch bishop in the days of the Stuarts from utter execration.

From the time of its Reformation in 1560, the Church of Scotland ceased to regard the order of bishops as essential to a Church. In the First Book of Discipline, approved in 1561, the offices recognised are those of minister, reader, elder, deacon, and superintendent; but it is not intimated that there was a separate ecclesiastical order corresponding to each of these offices. On the contrary, the readers are specified to be "but for a time;" and after probation, they may be removed, or advanced to other duties. The elders and deacons are to be annually elected.* The superintendents, though discharging functions of an Episcopal character, had no pre-eminence of order, but are expressly classed with "all other ministers," † and were responsible to the General Assembly.

The theory of the Scottish Reformers was, in common with the Reformed Church generally, that there is no order in the Church of a higher grade than that of Presbyter, or Minister of the Word and Sacraments,—and that whatever superior powers may, in certain circumstances or according to certain usages, be granted to some Presbyters, are subjects of human arrangement and not of divine ordinance. Prelacy, therefore, as inconsistent with the theory and constitution of the Reformed Church, was rejected, with other adjuncts of the Roman Catholic Communion, at the Reformation. The Church was no longer ruled by Bishops, but by its own General Assembly. This *régime*, however, did

* First Book of Discipline, 5 and 7.

† Knox's Hist., Book iii., "Form and Order of Election of Superintendents."

not remain long undisturbed. The Convention of Leith, in 1572, sanctioned a nominal restoration of the Episcopate — the bishops to be examined and appointed by their brethren, and to be subject to the General Assembly. These were the "tulchans" through whose connivance the needy aristocrats drained the revenues of the Kirk. They were bishops in name only. Held in little honour by the people to whom their title was no passport to reverence, they were bitterly assailed by Andrew Melville, who began his war against them in the General Assembly of August, 1575.* Melville triumphed. In 1578, the Second Book of Discipline, embodying his ecclesiastical polity, was adopted by the General Assembly; and in 1580, the "whole Assembly of the Kirk found and declared the pretended office of a bishop to be unlawful, having neither foundation nor warrant in the Word of God."† This declaration was very distasteful to King James. He set himself to restore an order, which he found more amenable to his influence than a General Assembly led by Melville. After a struggle, royal craft and bribes—or "force and falsehood," according to Calderwood‡—prevailed, and by 1600, Episcopacy again reared its crest.

James ascended the English throne. Melville was driven into exile. The Assembly of 1610, partly coerced, partly bribed, ratified the establishment of a thoroughly Episcopal government, such as had not been since the Reformation; and the three Scotch ministers who had been entitled Archbishop of Glasgow, Bishop of Brechin, and Bishop of Galloway, proceeded to London, and re-

* Book of the Universal Kirk, Aug., 1575.
† Ditto, 1580.
‡ Calderwood's Hist., vol. vi., p. 20. Wodrow Society's Edition.

ceived, in addition to their Presbyterian ordination, consecration as bishops at the hands of English prelates. For the first time the Reformed Scottish Church was blessed with bishops episcopally consecrated.

Episcopacy thus set up did not grow in favour with the Church and country. The Five Articles of Perth exasperated the ill feeling and discontented disloyalty. When Charles began his mad assertions of royal prerogative in the interests of a still more developed Episcopacy and ritualism than his father had essayed, all the elements of tumult and revolution were ready to explode. Jenny Geddes' stool was but the match which fired a bursting magazine. The whole fabric of Episcopacy was blown to pieces. The national will, expressing itself unmistakeably through the Assembly of 1638, abolished Episcopacy, and proscribed the bishops; and the Parliament of 1640 ratified the deed.

Twenty years passed; and the Church, grievously infected during this period of rest with the leaven of English Puritanism and Independency, saw the Stuart line restored. With the restoration of that fatal house came the prelacy, to which, since it had last been seen, Scotland had become more alien than ever. Again Presbyterian ministers * duly consecrated at London, were sent down to Scotland; the vacant sees were filled up; and the persecutions began. † These with all their

* Four in number, of whom two, Fairfowl and Hamilton, had been ordained by bishops: Sharpe and Leighton by the Presbytery. The latter, before being consecrated, were re-ordained.

† The first step was the ejection of those ministers who refused to seek "institution" from the new bishops, or to attend the diocesan synods. About 350 were ejected. Their places were filled with men whom Bishop Burnet thus describes: "The new incumbents were generally very mean and despicable in all respects . . . the worst preachers I ever heard, ignorant to a reproach, and many of them openly vicious. They were a disgrace to their order and the sacred functions." The ejected, he says, were "a grave, solemn

horrors—hangings, drownings, fusilladings, exiles, and ruin of every kind*—lasted till 1688, when again, two exasperated nations freed themselves from tyranny. But the bishops, naturally enough, would not forswear their allegiance to the tyrant, to whom they owed their place and power. Had they done so, had they shown any sympathy with popular liberty, Episcopacy might have remained. By this time, bloodshed and oppression had done in many districts the work of conversion. In others aristocratic influence had turned the scale in favour of the religion of the Court.† But the bishops stood by the dethroned oppressor; and William of Orange, by the advice of Carstares, sanctioned —perhaps unwillingly—the restoration of Presbytery. Prelacy again was overthrown, as an "insupportable grievance;" ‡ and the Presbyterian Church, the original Church of the Scottish Reformation, was once more and finally settled, and that on its present basis.

The Episcopal clergy, in many instances, conformed to the Presbyterian Church. Several ministers who did not conform by taking the prescribed oaths, were yet allowed to occupy their manses and kirks;§ and as since the Restoration there had been no attempt to introduce a liturgy, the service—whether conducted by a Presbyterian or Episcopalian—was much the same.

Those of the Episcopal clergy who formed a distinct Communion under their old bishops, after a time thought

sort of people. Their spirits were eager, and their tempers sour, but they had an appearance that created respect. They were related to the chief families in the country, either by blood or marriage, and had lived in so decent a manner that the gentry paid great respect to them."—BURNET'S *Hist. of his own Times*, i. 156.

* For a just estimate of these, see Cunningham's Ch. Hist., ii. 253.

† See Grub's History, vol. iii., p. 317.

‡ Act of 1 Wm. & Mary, cap. iii.

§ Cunningham, vol. ii., p. 312.

of adopting the English liturgy, both for their own spiritual good, and as a bond of union with the English Church. The Toleration Act of 1712 protected them in the use of this; and the wisdom of their resumption of the long disused Prayer book, was proved by the increased attachment of those who had adhered to the Episcopal Communion.

This attachment survived the penal suppression of the Episcopal worship, which, following the Jacobite rising of 1715, lasted till the accession of George III. All danger of Jacobite reaction having passed away, the penal laws were rescinded in 1792. During the eighteenth century the line of Scotch bishops, though reduced to a very slender thread, and somewhat torn and ravelled with schisms among themselves, had been preserved; and those who consider what is called "Apostolic Succession," of importance, can probably trace without much difficulty the link connecting the present bishops with Sharpe and his allies. In 1804 the Scotch Episcopalians again drew nearer to the English Church, by adopting the Thirty-nine Articles; and a little later in the present century, the enlarging number of chapels in Scotland began to draw clergymen in English orders to come and minister in the north. The practical independence of a Church not established by law, and the peculiar characteristics of the Communion Office, derived from Laud's liturgy, which had been generally adopted in the Scotch congregations, attracted especially clergymen of a High Church tendency.*

"There can be no doubt that the Scottish Episcopal Church has, during its whole existence, been characteristically High Church; and it is my conviction that it would to a certain extent depart from the truth as it is in Jesus, if it were to change this its character."—*Primary Charge of Bishop Terrot.* Edin.: Grant & Son. 1842.

The bishops, gaining confidence from the countenance showed them by England, began to pretend to a higher position than they had ventured to assume since the Revolution, and to employ the territorial titles which had been long abolished.

As intercourse with England increased, the numbers of Episcopalians grew. Young men, receiving their education in the south, came back proselytized. The aristocracy, accustomed to English society and English habits, intermarrying with English families, and in constant intercourse with them, came to prefer the liturgy to the unpremeditated services of the National Church. The gentry generally follow the aristocracy; and the lesser gentry, and even the pushing "writer," or ambitious grocer in a country town, will follow those of a higher social scale, partly for the sake of possible profit, partly for the delight of basking in the sunshine of fashion. It has thus happened that for many years, the body, small and proscribed a century ago, has been growing rapidly in numbers and influence. Year by year it has come to be more distinctly regarded as a representative or branch of the Church of England in Scotland. Recognising that its union with the great southern Church is its surest strength, its policy has been to cement this union as closely as possible. Nor has the Anglican Church refused to meet all the advances of its little sister. It has chosen to regard her as a solitary witness for truth and order in an unenlightened land,—an apostolic missionary among heretics and schismatics; and has encouraged her in making more of her Episcopal government and supposed sacramental grace, than of the simple Christian verities. Of the eight Scotch bishops,

five are English by birth, education, and ordination ; and of her 160 or 170 clergymen, at least 70 or 75 are English also. Those Englishmen who thus connect themselves with the Scotch Episcopal Church, naturally do so in the spirit of Propagandists, and are apt not only to regard themselves as missionaries *in partibus*, but to give all possible prominence to those outward *differentiæ* which distinguish the Episcopal from the Presbyterian Communion. Many, indeed most, of late, go farther, and affect to regard the National Church, or "Kirk," as they prefer to call it, as no Church, because its theory and practice of government are different to theirs.*

The act of 1792, removing the penal laws, still left certain disabilities attaching to ministers episcopally ordained in Scotland, which prevented their holding benefices in the English Church. This had long been a sore thing to the Scotch bishops and their subordinates. It was a mark of inferiority which they yearned to wipe away. A large party in the Church of England was at one with them in this. This party preferred the semi-Romish Scotch Communion Office to its own, and desired that the Church possessing it should be admitted to completer fellowship with the Anglican Church. The same party likewise was impatient of the civil control which is exercised over the English Church, and rejoiced at effecting a closer connection with a body freed from all such superintendence. A bill was introduced in 1864, by the Duke of Buccleuch, for the removal of these

* See "Scottish Ecclesiastical Journal," the organ of the Scotch Episcopal Church, *passim;* the Rev. K. M. Phin's "Scottish Episcopacy the Pioneer of Popery," Edin. 1856; Dr. Lee's "Reform of the Church," chap. vi.; "Six Sermons, preached at the Consecration of S. John's, Jedburgh," Edin., Grant & Son; and frequent "Charges" of the Rev. Charles Wordsworth, D.C.L.

disabilities. By the Church of Scotland it was regarded with no favour; but such was the tolerant spirit of the Church, or the apathy of the clergy and people, that no active opposition was offered to it. Those who disapproved of it, generally did so, on the ground that such a recognition of Scotch Episcopal orders as the bill secured, was contrary to the Articles of Union. To quote the words of a statement circulated at the time :—

"It must be held as establishing another Church *de facto* in Scotland. Now, although it is possible, that among members of the Established Church of Scotland, there may be some who would be glad to see a nearer approach of the Establishments of the two countries to each other, these very persons look with well-grounded jealousy upon the Scotch Episcopal Church having anything to do in the matter. They conceive that as an Established Church of the kingdom, they may treat as with equals with the members of the southern Establishment; but they scorn the arrogant pretensions of a small body of Dissenters in their own land, who tell them that their orders are invalid, and their Church no Church at all, and that they ought dutifully to retrace their schismatic steps, and to seek for true ordination at the hands of Bishop Forbes or Bishop Suther."

In the Assembly of 1864, referring to the bill, Dr. Lee said, that a copy of it had been sent down to him by a noble lord who believed it affected the interests of the National Church, and who requested him to submit it to the judgment of the Assembly. The Church must recollect, he said, that it was unrepresented in the British Parliament, while the English Church, the influence of

whose support was claimed for this bill, was directly represented by a bench of bishops sensitively alive to anything that concerned either the spiritualities or the temporalities of their Church. At his suggestion a committee was appointed to report on the bill, which it did at a later day, affirming that there was "nothing in the bill requiring any expression of opinion on the part of the General Assembly." In bringing up this report, Dr. Lee said, "he was glad to yield to the opinion which the report expressed, and which was urged by gentlemen for whose judgment he had much respect; and was relieved to find that, without failing in their duty to the Church, they might refrain from doing anything which could be construed into a spirit of intolerance or narrow jealousy, or into a desire to uphold or perpetuate persecution, or civil disabilities of any kind, because of religious opinions." He added, that he sincerely hoped that future events might justify the General Assembly in the course which he now ventured, not without considerable hesitation, and after much reflection, to recommend.

His dislike to the bill was founded not only on his idea that it infringed upon the proper rights and prerogative of the National Church; he objected to it also, because it did this in favour of a body obtrusively opposed to the Church, and whose doctrines and spirit were utterly offensive to Presbyterians,—the doctrines, as he held, in many respects false, the spirit intolerantly narrow. He had indicated his feeling about Scotch Episcopacy very plainly in Chapter VI. of "The Reform of the Church."

"It may, indeed, be said, that Presbyterians and Episcopalians are not of two religions, but of one and the

same religion, though differing in respect to forms of worship, Church government, and some few not essential doctrines. This, no doubt, is the opinion of a large number of the laity, at least in the Episcopal communion, and it is, we presume, the general sentiment among Presbyterians, both clergy and laity. *But it is not the doctrine of the Scotch Episcopal Church.* Her clergy do not seem to regard her as a *Protestant* Church, and are disinclined so to speak of her; they claim for her the designation of *Catholic;* and it is that presumed character of Catholic, which, in their opinion, makes her a Church and 'the Church in Scotland,' which title they deny to the 'Presbyterian Kirk,' established by law though she be, and national, as far as the State without persecution can constitute her such. They speak of her as a 'communion,' or 'community,' a 'sect,' a 'form of schism,'—with them she is 'Samaria stripped naked, and cast out to the chill mountain air.' According to them she has no right to be the National Church or to exist, because, as they teach, she has no Divine commission; her ministers are not God's clergy; they want the Episcopate, Episcopal Ordination, and Apostolic Succession, without which no 'teacher' can legitimately or effectually administer the sacraments, or 'be certain that he has Christ's body and blood to give to the people.' And their watchword is this—that they are 'the Church in Scotland,' therefore the only Church; the other 'bodies' being sects, different forms of 'schism.'"

Besides all this, Dr. Lee saw in the Scotch Episcopal Church the greatest hindrance to the progress of rational reform in the Establishment. Every new chapel was a stumbling-block in the way of this, drawing off, as it

tended to do, those whose leanings were towards reform of worship, and whose influence, if they remained in the Church, would help largely to promote it. This influence, subtracted from Presbytery and added to Episcopacy, left the former more and more to the control of the Puritanic taste and temper transmitted from the days of Cromwell, and which lived in the bosom of Dr. Muir, Dr. Hill, Mr. Procurator Cook, and other magnates of the General Assembly. Any recognition, such as this bill was designed to give, of the dogma of the *Jus Divinum* of Episcopacy was simply hateful to Dr. Lee, and seemed to him the worst kind of reaction, tending towards mere superstition and spiritual tyranny.

If Scotch Episcopal disabilities were to be withdrawn, he would have had the restriction which forbade a minister of the National Church occupying an English pulpit withdrawn also, in the, perhaps vain, hope of a return to the spirit of the liberal days of Knox, when there was full ministerial intercourse between the two National Churches. Mr. Arthur Kinnaird, the member for Perth, proposed to bring in a bill to this effect, but for lack of public spirit in the Scotch clergy, or of popular support, it fell to the ground. "There can be no question," wrote a well-known M.P., a member of the English Church, to Dr. Lee—"that the pretensions of the Scotch Episcopal Communion are that they are, by Divine Right, the Church of Christ in Scotland; and this is the principle, which, by the aid of that body, the Bishop of Oxford is endeavouring to get established as the principle on which the Church of England is founded. The question is, 'Will you acquiesce in this?' If you, as a body, choose to be

gradually put on one side as a *pretended* Church, with no claim except such as the State gives you, in Scotland, and farther, allow that to be infringed upon, and if you cannot get your clergy to protest for fear of being charged with apostacy from the Kirk, the proposed bill must be a failure.

"I know a very influential layman in London willing to second your cry for equality if you will, as a Church, utter it; but if Scotland has degenerated, and is willing to embrace Episcopacy—not as a form of government but as a question of *Divine Right*, then I can't help it. I hope, however, this is not the case. Pray, reiterate, on all hands, the statement that virtually the doctrines of the Established Churches are of close kindred, while the distinctive ones of the Scotch Episcopal Communion are kindred to Rome, and that Parliament ought to remove the disabilities [of Anglican and Scottish ministerial communion]. The Queen belongs in a degree to both Churches, and it is an insult to your ministers to be *by Act of Parliament*, and that alone, prevented ministering in English Churches. Your people ought to look back to the times of the Reformation, and you might bring out the historical fact that your exclusion dates from the Restoration, and the *reaction* consequent upon it."

It is obvious that when Dr. Lee was thus in favour of full ministerial communion with the Church of England, he had no dread of Episcopacy, and no very great prejudice against the rights and doctrines of the Anglican Church. But he carefully discriminated between the Anglican Church and the Scotch Episcopal body, and could not recognise, or approve of any measures which

would recognise, the one as the proper representative, in Scotland, of the other.

There were, however, in the Scotch Episcopal Church some wise and good clergymen, who did not hold the extreme theories common in their sect. Their earnest desire was to see a union effected between the English and the Scottish Churches; and to this union they felt that not only might they claim a right to be parties, but that they might aid much in bringing it about. For their part they felt that their connection with the Scotch Episcopal Church did not bind them to antagonism to the National Church, as at present established. They preferred Episcopacy and liturgical worship to Presbytery and extemporary prayers; and they knew that they represented a respectable section of Scottish society, whose traditions and convictions had long been in favour of Episcopacy, and yet had never led them into extravagant dogmas of Divine Right, or scornful hostility to Presbyterianism. With these Episcopalians a large party in the English Church would cordially sympathise. There were not a few in the Scotch Church also ready to receive, with thankfulness, any indication of a desire for union which might come from such a quarter. Among these Scotch Episcopalians may be mentioned the Rev. Dr. Ramsay, of Edinburgh, to whom none will grudge the title (but all will wish there were more substance in it,) by which one so well known and much respected is named in Scotch society—"Dean" Ramsay; and the Rev. Dr. Rorison, of Peterhead. In the chapter of "The Reform, &c.," already quoted, Dr. Lee had referred to Dean Ramsay as holding opinions regarding the National Church, of a very narrow kind. The Dean was much

vexed at this, and wrote to tell Dr. Lee so, disclaiming the expressions he had used, and which Dr. Lee had quoted, and adding :—"I do not hold that Episcopacy is essential to the 'esse' of a Church; I think it an element for the 'bene esse' of a Church; perhaps I might add the 'optime esse.' Perhaps you would, in a future edition, kindly insert a passage which I would supply, or a short letter indicative of a more enlarged feeling on these points." *

The Rev. Dr. Rorison, incumbent of the Episcopal chapel at Peterhead, had mooted the question of a possible union between the National Church and his own Communion, in letters which were published, in the Autumn of 1864, in the *Scotsman*,—regarding the union of these as the first step to union with England :—

"The Established Church," says Dr. Rorison, in a letter on 8th August, "is strong—strong in her legal status, in her rights of spiritual self-government, in her full representation of the laity in Church Courts, in her invaluable parochial system, in her million, or more, of the Scottish people. But she is weak in her want of liturgical worship, of ancient traditions of Church orders, of effective and permanent presidency in her Synods; weak in the estrangement of the upper classes, and weak, above all, in necessary separation from the Church of England.

"Now, the Episcopal Church (from perfectly intelligible historical causes) is numerically weak. Her congregations, compared

* "I was much amused," says Dean Ramsay, adverting to Dr. Lee's speech in the Assembly of 1864, on Innovations, "with what you said of the same prayers being used and stereotyped in certain churches. When I used to be a good deal at Banchory, from 1815 to 1822 or so, I attended always the parish church, Mr. Gregory being the minister. His prayer was rigidly and precisely the same as much as any liturgy could be. The old church was very bad, and a new one was long projected. Colonel Wood was a constant attendant, and was much discomposed by Mr. Gregory's constant use of the phrase, 'how dreadful is this place!' The Colonel used to repeat it, 'This is a dreadful place,'—and argued that Mr. Gregory meant to remind the heritors what a miserable state the church was in. In course of time a new and very excellent church was built. But Mr. Gregory's prayer was unaltered, and the Colonel's indignation was extreme that he should still keep on his exclamation, that 'this was a dreadful place!' Was he never to be satisfied?"

to those of the Establishment, are but as one to seven; her worshippers but as one to twenty. She may be weak in other respects, which her adversaries are keen-eyed to descry. But in some things she is strong. She is strong in her spiritual independence, and is not likely to part with it. She is strong in her newly acquired trust of the laity, and gradual concession to them of their due share in Church government. She is strong in her respect for ancient order, in her constitutional episcopate, and in her noble liturgy. She is strong in the affection of the upper ranks, and the hereditary allegiance of the Scottish aristocracy. Lastly, she is now strong, far stronger than ever, by the blessing of Providence on the Duke of Buccleuch's effort to recover the confiscated rights of her clergy, and thus to perfect her ecclesiastical relations with the sister Church of England.

"These strengths, separated, are, speaking in the large interests of national religion, in a great measure reduced to weakness. These weaknesses by union would be transfigured into strength.

* * * * *

"Sheer prejudice apart, what are the difficulties? Let it be conceded that ecclesiastical unity does not depend on absolute uniformity of congregational worship, and also that Presbytery is not necessarily destructive, but only *corrective*, of Episcopacy, and the chief of such difficulties vanish. Whether there be a disposition to approach the consideration of obstacles with a sincere desire to overcome them on the part of many of our Christian brethren of the Established Church, I have no means of knowing. But if such a desire exist, it ought to take shape in action, even though the result sought, like most other great results, may require long years to ripen in."

With a view to ascertain whether such a desire existed, Dr. Rorison shortly afterwards entered into correspondence with Dr. Lee. He writes to him on the 7th of September: —"My apology for now troubling you is the large amount of sympathy I have with by far the larger portion of your very able work, 'The Reform, &c.,' a sympathy which encourages me to ask whether your aim is

essentially inconsistent with that which many in the Episcopal Church have much at heart, and which I have explained and advocated in the *Scotsman*. In other words, is the Reform you contemplate such as would render possible full ministerial and ecclesiastical intercommunion with the Anglican Church, or not? My own conviction is, that such a reform is possible, on terms perfectly honourable to both sides: and that its accomplishment would be the greatest of blessings not only to Scotland, but to the whole Empire."

Much as Dr. Lee objected to certain points in the Anglican system, such as those animadverted on at the close of the last chapter, he was no enemy to a liberal and tolerant Anglicanism, or to an Episcopate adopted as a matter of expediency, and not accepted as a Divine order. Pondering on the future of his own Church, he was led to believe that there were three possibilities before her. These were,—1st. Re-absorption of the "Free" seceders. To this he looked forward with considerable dread, believing that their return to the Church would be fatal to reform of worship, to a large and liberal theological culture, and to the peaceful progress of the Church. 2nd. Coming to a better and more sisterly understanding with the Anglican Church, and through mutual charity and concession, restoring full ministerial communion between the two National Churches. 3rd. Ultimate Disestablishment, following weakness and isolation, and loss of influence over the opinions and affections of society. He was thus ready to respond to any overtures made in the spirit in which Dr. Rorison approached the question of union. He wrote in reply: "I hope, and I have no doubt, that the Reforms which I desire to see adopted in

the Scottish Established Church, will, if adopted, *remove* many obstructions to a union with the Church of England, and will *diminish* all. The *great difficulty*, however, that of *orders*, is one which Episcopacy has created, and it is one which the Episcopal Church must remove. I do not see how High Church notions and claims can ever amalgamate with ours, or that we can listen for a moment to proposals which invalidate our orders (and discredit and censure our ministry), and those of the other Protestant Churches. I much admire both the spirit and the ability of your letters in the *Scotsman*. It would give tenfold effect to these letters if it were understood that any considerable number of your brethren sympathised in your views."

"I feel sure," says Dr. Rorison, in reply, "that it will strike you with pleasant surprise to be told, that so far from being isolated, I am satisfied that I have been the spokesman of a great majority in our Church. Nineteen-twentieths of the laity wish reunion; the southern clergy generally; perhaps half the northern clergy, and (I think) five or six of the bishops. The *ultra* party are noisy, but not now in the ascendent. Of course I would never pen a line or stir a step in the matter, if I did not believe reunion practicable *without the slightest disrespect to the clergy of the Established Church*. Their full recognition as ordained Presbyters is a *sine quâ non*. On the other hand, the restoration of a chief Pastorate seems to me not only consistent with Presbytery, but dictated by fidelity to the best and wisest precedents of the Scottish Reformation."

It was suggested, in accordance with the views of some of the gentlemen interested, that a quiet conference

of a few leading clergymen and laymen, Presbyterian and Episcopal, should be held; and Lord Rollo suggested that they should meet at Perth. On this being proposed to Dr. Lee, he was at first rather doubtful of the expediency of such a meeting. He writes to Dr. Rorison :—

"I will explain to you my policy, which I have not hitherto done to any person. It was to propose in the second part of my work on the Reform of the Church, a scheme of Church government, which might conciliate many of the laity of your Church, and even some of her clergy, as well as a good many members of the Free Church, and to wait a little to see the effect of such suggestion. My scheme does not differ much from that you have sent me. I am afraid of moving in the direction you indicate, *a moment too soon*. . . . . What you say regarding the feelings of the Episcopal clergy surprises and delights me. I was prepared to hear that *the laity* sympathise generally in the prospect of union. The great danger and difficulty would be to carry *the people*, especially the lower orders of our Church, and also many of the clergy ; and that being the case, I cannot help thinking that a proposition *emanating from our side*, would have many advantages and greater likelihood of success. It would perhaps prevent some inconvenience if some nobleman or gentleman would invite to his own residence, in some pretty central locality, such persons as it may be considered expedient to bring in contact. An invitation to visit a gentleman, to *meet so-and-so*, could be accepted by any one (who found it convenient) without scruple or hesitation. Consider this ; there is no hurry. I think Mr. Stirling, of Keir, if he approve of the movement, would do this with pleasure."

The scheme which Dr. Lee refers to in this letter as not differing much from his own, was the following :

"Tentative bases of adjustment as respects, 1, Polity ; 2, Worship ; 3, Standards.

"I. POLITY.

"1. The Church to be organized in three jurisdictions,

—Parochial, Provincial, National; a Primary Synod, a Superior, a Supreme.

"2. The Primary Synod (homologous to existing "vestry" or "kirk session,") to consist of from six to twelve members, elected by the male communicants of the parish. These to hold office for life; also to be designated to their functions by a religious rite. The minister to be *ex officio* Moderator or President. Each parish to acquire, by voluntary cession or by purchase, the right of choosing its own minister. This right to be exercised through the Parochial Synod; *i. e., the parish elects through electors of its own electing.*

"3. The Superior or Intermediate Synod to be gained by halving the existing "synod," and doubling the existing Presbytery — fusing the two jurisdictions (as in the U. P. Church,)* into one—homologous to our "Diocesan Synod"—thirty-three such synods would be each equivalent to an average Scotch county, an average area of 1000 square miles, and an average population of 100,000 souls. Allowing for the subdivision of overgrown parishes —for which reunion would give facilities, each synod would comprise from forty to fifty parishes. "Synod" and "Diocese" would be interchangeable terms. The thirteen ante-Reformation dioceses would, in such case, be increased by subdivision by twenty others, Edinburgh being one. A superior synod would consist of the parochial clergy, and one other elected member for each parochial synod. The Superior Synod, like the Primary, to be presided over by a perpetual Moderator elected by itself, subject to confirmation by the Supreme

* As the *Saturday Review* professes these letters are unintelligible south of the Tweed, it may be explained they mean United Presbyterian.

Synod. Such Moderator to be duly consecrated a bishop, and to have his seat, with one or more assistant ministers, at some principal church of the diocese.

"4. The Supreme Synod would naturally retain its historical title of "General Assembly," and would consist, (*a*) of the thirty-three bishops, or life-Moderators, forming a first chamber; (*b*) of six members, three lay and three clerical, from each diocese or intermediate synod, and representatives of the Universities, forming a second chamber. Such chambers to deliberate together, but, on the demand of either, to vote apart, with mutual right of veto. The Moderator to be elected annually from the first chamber of the whole assembly. The lay and clerical members of the second chamber to be exactly equal in number.

"5. The Primary Synod to meet monthly; the Superior, quarterly; the Supreme, annually.

"6. The Supreme Synod to exercise its judicial functions through an elected *Judicial Committee*, holding office for life, composed of six members of each chamber (those chosen from the second to be learned in the law); the senior bishop presiding, and having the casting vote.

"II. Worship.

"1. All congregations of the United Church, now using the English Book of Common Prayer, to be guaranteed its free use during pleasure.

"2. Liturgical worship to be forced on no congregation.

"3. A careful recension of the Book of Common Prayer, assented to by the Heads of the Church of England, to be prepared for the use of such congregations of the Scottish Church as may prefer a more elastic and other-

wise improved liturgy. Such Book, including 'Catechisms,' to suffice for

"III. STANDARDS."

These proposals were merely for private consideration. They were not to form in any sense the basis of the conference or the subject of discussion there. Lord Rollo and others were decided in urging that such definite discussion would, in the meantime, be altogether premature and useless. Dr. Lee's suggestion as to the assembling of the conference was at once agreed to, and Lord Rollo, whose keen and intelligent interest had been with the movement from the first, begged that Duncrub Park should be the place of meeting—a proposal most agreeable to those concerned. "I am very glad," writes Dr. Lee, on 26th September, "that Lord Rollo has thought of inviting those to visit him who may talk over such matters as good men must all feel interested about. I sincerely hope good may come out of it, but it would be folly to be very sanguine." He then goes on to speak of the proposed guests, a list of whom had been sent to him, and comments upon them with much frankness, adding, "I consider it essential that there should be so many members of your Church present as to afford *us* a good indication what are the real feelings and views of the generality of the clergy and laity." It had been proposed to include a certain liberal Doctor of the Free Church. "His presence," says Dr. Lee, "could have no effect but to bring him into suspicion with his own body, and to increase difficulties, which will be felt to be great enough of themselves; and I cannot believe that he would consent to come. I am sorry to say that all the friends I have talked with regard the difficulties as virtually insuper-

able." Dr. Rorison was not inclined to talk of insuperable difficulties. To his faith and courage none were visible. He replies,—

"Thanks for Col. D——'s note. He typifies a large class of shrewd men, of excellent common sense *in common things.* But he and others altogether miscalculate the enormous undercurrent of new thought which is loosening traditional prejudices of all kinds throughout the island. There has been nothing like it since the sixteenth century; and even *that* movement, I believe, was far less powerful and profound. All religious minds will come to see a few years hence that the choice lies between re-union and reform, or scepticism, shipwreck, and revolution. Of this I have not the smallest doubt. Hence I am not discouraged by the prophecies of failure, and the cries of '*Utopian*' and '*Chimerical*,' which are sure to greet the first stage of every great movement. Time is working with us. The railway is working with us. The English schools, at which so many of the children of the wealthier classes are being educated, are working with us. The whole current of modern progress is an ally. The most influential portion of the press is on our side. Higher considerations apart, the interest of the clergy will in the long run tell also. The times are leaving the clerical profession in Scotland far behind. Even 500*l.* a year, which is almost the *ne plus ultra*, does not represent the place in the social scale which 200*l.* did in the beginning of the century: what then of the prospects of the profession, and the incomes of the provincial ministry? Re-union, and the admission of the principle of a chief pastorate, would mend this: nothing else will. Besides, all the immense social power of the aristocracy will be enlisted in favour of the movement directly they come to *believe* in it. That cannot be, on a large scale, at the very first; but it will be by-and-by, please God.

"After the changes both in your Church and ours within the last ten years, nothing need breed surprise. What would not your book have cost the author had it been written a few years earlier. To hint that there was room for a Broad party in the Anglican Church cost a clergyman his charge in this diocese some twenty years ago. In both Churches, happily, 'we have changed all that.'"

Unfortunately all these hopeful preparations came to nothing. Dean Ramsay and others had promised to attend, but Lord Rollo was led to believe the conference had better be postponed till after the General Assembly of 1865; and in the later autumn of 1864 the current of public feeling seemed rather to set against any possible negotiations, with a view to ultimate union with the Episcopal Church. This was, in some measure, owing to the position assumed by the Bishop of London, who resided in Scotland this autumn, and identified himself very closely with the Scotch Episcopal body, keeping entirely aloof from any intercourse with the National Church.

"I had the pleasure of holding some conversation with the Bishop of London when he was here," writes Dr. Lee to Dr. Rorison, on November 25th, from Edinburgh; "and in my opinion the proselytizing and aggressive spirit shewn by so many of the episcopal clergy is strengthening the opposition to any such thing as a union; and if it continue, I should not wonder but it may drive the Presbyterian Churches to lay aside their present differences, which are little more than matters of feeling after all, and make a united Presbyterian Church, the consequences of which would be very disagreeable, and very adverse to many interests which you and I are probably agreed in wishing to promote. I did not like some passages in the bishop's speech at Glasgow, and I cannot but altogether disapprove of his exercising Episcopal functions in Scotland as indecorous and perhaps illegal. I am at one with you respecting the effects of dissent. No honest man can shut his eyes to them, they are killing true Christianity, for they are obliterating the spirit of brotherly love and charity, which is Christianity. But I do not think there is among your brethren any disposition to give up those things without the abandonment of which there can be no Catholic Church, truly so called. Very few of them seem to have any notion of the distinction of *Creed* and *Dogma*, or to apprehend that Christianity has only two articles

of faith, suggested or rather affirmed by Our Lord himself, John xvii. 3."

Another distinguished clergyman of the Established Church, who had been invited to attend the conference at Duncrub, wrote—

"The difficulties appear to me serious, if not insuperable, in the way of any project of union. I have much sympathy with the enthusiastic faith of Bishop Wordsworth,* and rejoice in his incessant proclamation of a side of truth well nigh forgotten in Scotland, the obligations of unity and the wickedness of causeless schism. But he is greatly mistaken in supposing there is a tendency to accept *his arguments* about Episcopacy, among any class of the clergy or members of the National Church, even among those most inclined to Episcopacy on other grounds. He would bring us back to a higher *dogmatic* ground on the subject of Church government; but any movement in the National Church, towards a more Catholic form of Church government and worship, be assured, has sprung out of general instincts of culture and feelings of moderation, that have no connexion with any faith in 'the three orders' as a dogma. The historical traditions of Episcopacy, the decency and beauty of its worship, dissatisfaction with the existing state of worship among ourselves, all have had their influence. But the deepest influence of all has been the decay of faith in any *divine* form of Church government at all in *the old dogmatic sense*. This is the real root of the present movement in our Church. For men who have ceased to believe in their own or any form of Church government, as *divinely prescribed*, have naturally asked, why should we not draw nearer to the *prevailing* type of Catholic worship? very much as Leighton felt and acted in his day. Episcopacy is certainly not unscriptural, its existence may be traced to the verge of the Apostolic age, if not within it; it presents in its usages, and especially in its form of worship, as celebrated in the Anglican Church, many advantages. On such practical grounds many argue in our Church,

* Rev. Charles Wordsworth, D.C.L., formerly Warden of Trinity College, Glenalmond, now titular Bishop of St. Andrews, Dunkeld, and Dunblane, three combined dioceses, containing, in all, twenty-five Episcopal congregations.

but so soon as you approach them with the idea of Episcopacy as of divine prescription, as a dogma claiming their acceptance, they are up in arms. They are far beyond the state of mind, unhappily or not, to which arguments of the latter sort address themselves. Dr. Wordsworth does not seem to see this, or if he does, he thinks it only a temporary phase of opinion, in which, I believe, he is profoundly mistaken, and all his careful, and in many respects, admirable charges, are in consequence charges in the air. My own conviction is that as a Church, we will draw nearer to Episcopacy, unless some crisis overtake us, but it will be entirely on *practical grounds*, and to secure practical objects; more reality of ecclesiastical superintendence, more propriety and order of worship. The acknowledgment of bishops as a divine power above Presbyters is, so far as I can see, a notion that has utterly died out of the Scottish mind, save in so far as sections of it, here and there, have been influenced by the teaching of your Church. If the teaching of your Church and its cherished traditions permitted your abandoning the dogmatic ground, and coming forth to meet us on such principles as Leighton professed, I should not think the idea of a reunion entirely impracticable. But you will excuse me for saying that I have not seen any such tendency in your Church."

This last sentence is unhappily too true. The recent tendency of Scotch episcopacy has been in the direction of Dr. Wordsworth's impracticable dogmatism, which, while professing a desire for union, has held out as the only conditions of it, concessions which the Church of Scotland could not make.* Much that touched national sentiment, and long cherished prepossessions, might be surrendered for the sake of unity; but men cannot unite at the sacrifice of what they believe to be the truth, or through the acceptance of what in their judgment is falsehood. If the Church of England and her representatives in Scotland cannot return to the wise and comprehensive policy of earlier times, recognising the validity

* See Dr. Crawford's Address to the General Assembly of 1867. New Edition.

of Scottish orders, and treating the question of Church government as a subject of reasonable argument, and not of inflexible dogma, then union is hopeless, and its blessings can never be realised. High sacerdotal pretensions recommend themselves less and less in these days to the liberal and cultivated intelligence, which, with ever increasing authority, moulds public opinion in its higher grades. But rational and practical reforms appeal, with an equally growing force, to the common sense of minds not warped by blind zeal or ancient prejudice, and to which the Catholic interests of Christianity are dearer than the traditions or dogmas of any one communion. To such minds, and there are such both in the Presbyterian and the Episcopal Churches, this question of union addresses itself; and they cannot get rid of the responsibility of dealing with it.

The Church of Scotland, at present, is not so occupied with any problem peculiar to herself as to hinder her considering this one with the care it merits. Perhaps when the Church of England has arranged the proper position of the celebrant at the communion service, and the right shapes and colours of the cope, stole, alb, chasuble, dalmatic, and biretta, she may be able to turn to the less important question—whether it be possible, through mutual forbearance and concession, or any other reasonable means, to effect a more sisterly union than now exists between two National Churches, living and working side by side, amidst a closely united people, each under the same temporal, and under the same spiritual head, holding essentially the same faith, and hoping to inherit a portion in one eternal and undivided kingdom.

CHAPTER IV.

CHURCH SERVICE SOCIETY.—ABERDEEN.—LONDON.—ASSEMBLY OF 1865.

"Tu tamen, sive habes aliquam spem de republica, sive desperas, ea para, meditare, cogita, quæ esse in eo civi ac viro debent, qui sit rempublicam, afflictam et oppressam miseris temporibus ac perditis moribus, in veterem dignitatem ac libertatem vindicaturus."—CICERO, *Epistol.*, lib. ii. 5.

ONE palpable result of Dr. Lee's labours in the cause of Church reform, was the formation, in the spring of 1865, of the Church Service Society. This society, which now numbers about 150 ministers in Scotland and the colonies, was established for the purpose of promoting the study of the ancient and modern liturgies of the Church, with a view, to quote the words of its founders, "to the preparation and ultimate publication of certain forms of prayer for public worship, and services for the administration of the sacraments, the celebration of marriage, the burial of the dead, &c." Many members of the society had seen and deplored the evils accruing from the absence of any regular order of worship or forms of service, long before Dr. Lee began his improvements and restorations in Greyfriars,—but no one had taken courage to make any reform, until he set the example and led the way.*

* A learned and influential member of the Society had, as early as 1851, in a pamphlet entitled "Scattered Sheep, how to reunite them," called attention —though with but scanty success—to the secessions to the Episcopal Church, and their causes. He says (p. 8.): "By far the most powerful and widely working

The Society as a whole — however advanced the opinions of individual members might be—could not have come into existence, without the stimulus of Dr. Lee's example, and the security of the freedom which he had vindicated. At the same time, its founders experienced

cause of the estrangement of the upper ranks from the Church, is to be found in the defects of her system of public worship, and the unfavourable contrast which, in that respect, she presents to the Episcopal Church. Her disadvantage here is not simply that of having a faulty and unattractive ritual wherewith to compete with one, the general excellence and great beauty of which are admitted by all, even by those who are far from regarding it as faultless, but that she has no standard or form whatever; that, content with mere doctrinal symbols, she has lost sight of the far greater uniting and attaching power exercised over the members of a church by *formulæ* of worship, which have been the vehicles of their devotion from childhood, and, like the cradle-hymns of a mother, are interwoven with their earliest associations. This power, even a very defective ritual would have exercised. But the deep misfortune of the Church of Scotland has been, that her whole worship being, from week to week, just what each of her officiating ministers chooses to make it, the minds of her children are preoccupied by no familiar form whatever, and are exposed, in this respect, in the state of a *vacuum*, a *tabula rasa*, to the potent influence of the English formularies—formularies which, however distasteful their repetition may prove on a *short* acquaintance, invariably acquire, in the end, a powerful hold on the minds of all.

"This unfavourable state of things, as every reader of history knows, is not chargeable on the fathers of the Scottish Church. In the matter of worship, as in matters of government, education, &c., the infant and provisional institutions of that Church were never allowed quietly to develop themselves into mature forms, but were either cramped and stunted, or forced into grotesqueness and extravagance, by such aggressions of arbitrary power as proverbially 'drive wise men mad.' It was an evil hour when the attempt of an English primate to force upon our fathers such a ritual as England itself would not have endured, alienated the people of Scotland from liturgical worship altogether. It were but fair that Englishmen should think of this. And it is also a curious fact, well worthy the attention of our southern brethren, that, as English interference predisposed the Scottish nation to anti-liturgical views, so English interference of an opposite kind completed and perpetuated the work. How few on either side of the Border appear to remember, that a partially liturgical worship, with kneeling at prayer, and the audible responsive 'Amen,' was in use in Scotland from the Reformation to the Westminster Assembly, and, in some districts, even later; and was discontinued, in the vain hope of conciliating the *extrême gauche* of the English Independents; that the very baldness of worship, which is the derision of ill-read Anglicans, and the boast of as ill-read Scotchmen, is in truth not of Scottish, but of English growth.

"Our business, however, is not with the history of our Scottish Church Service, but with its condition and results. Now, without subjecting that service at present to a critical examination by the light of Scripture and sound philosophy, and thankfully admitting the edifying manner in which it is frequently conducted, we believe we may safely say that few persons have attended it for any length of time without witnessing offences against good sense, good taste, and true devotional feeling. In the administration of the sacraments, where surely the Church, and not the individual, should be heard to speak, and that in concerted and well-pondered terms, we have seen and heard the most flagrant and painful improprieties."

some difficulty in determining its exact relation to Dr. Lee, and to his book of prayers. Their own position and contemplated work they defined thus :—

"There are at present two somewhat powerful currents of feeling in the Church which are generally supposed to run counter to each other, but which in reality do not, or at least need not do so. The one feeling is that of sincere attachment to the simplicity of our non-liturgical worship, the other is an earnest desire for a worship more solemn, uniform, and devout, than (in tone and aspect at least) our non-liturgical service generally is. To a large number of estimable people the simple service of our Church is dear. With it, rightly or wrongly, is bound up much of their spiritual life; round it gather most of their religious associations. To an equal number, probably, that simplicity is not attractive, because it is not in their experience the parent or associate of like good influences. But what has rendered the service of our sanctuaries heavy and profitless to them is not its simplicity, but what is too often combined therewith, and may be as readily associated with the simplest as with the most elaborate service—its lifelessness, its lack of devotion in spirit and in form. The true remedy for this defect, and the true reconciliation of these two feelings, is to be found in the filling up of the simple forms which are valued by the one, with the earnest devotions which are desired by the other; by doing, in short, what the Society proposes to attempt, preparing or collecting forms of prayer as full of, and as suggestive of solemn, earnest, fervent devotion as words can be, and binding these into the simple order of our existing worship.

"It is presumed that the members of the Society value highly the privilege of what is called free prayer, and that they would be unwilling to submit themselves to the yoke, which neither their fathers nor they have been able to bear, of a liturgy so rigid, albeit so beautiful, as that of the Anglican Church. But the privilege of free prayer is not to be taken to mean simply each clergyman's liberty to lead the devotions of his congregation according to his own idea or fancy, or as his spirit may be moved to pray. It most legitimately may have the higher meaning, that each clergyman of a Church which, like ours, is a national branch of the Church Catholic, is at liberty as a minister

of the Church Catholic, to use whatever in the recorded devotions of that Church he finds most suitable to his congregation's need. One branch of the Society's work would proceed on the recognition of this principle. Its aim would be to search for, and to disentangle from all superstitious accretions or sectional peculiarities, the prayers of the faithful in all divisions of the Catholic Church, and to gather these, not into a formal manual of devotion, but into a great magazine of prayers, to which every minister might have access, and from which each might draw, as from a living fountain.

"Useful as it may be to construct set services for the Lord's Day, it is probable that this work, if thoroughly effected, would be found to have a yet higher usefulness, and would at once foster in the minister a finer devotional feeling, and ability of expression, and enrich the common prayers of our congregations with the fulness of that spirit of 'grace and of supplication' whose voice has never been silent in the Church; while the use of venerable words common to them with other Churches and communions of believers, could not but knit the worshippers together more closely than before, in the unity of the Spirit and in the bond of peace. The language of the Bible, even of the Psalter, cannot supply all the devotional utterances we need. Much less can the individual compositions of any one man, however rarely gifted. Nor can our wants be fully satisfied by any one liturgy, or the forms of any one Church, be it Greek, or Latin, or Reformed. It seems most natural to seek the real magazine of adequate expression of Christian devotion in the accumulated treasures of the Church's own prayers—those vehicles of her worship which the living bride of Christ, developing her own fitting phases of thought and feeling, has produced according to her need. Through these the spirit of prayer will most appropriately speak, and these it will animate and combine anew, so that they shall not in our mouths be mere dead repetitions, but shall become the undecaying organs and vestures of an ever reviving and expanding life." *

While thus the general design was akin to Dr. Lee's, the mode suggested for the realising of it was different. Dr.

* Report of Editorial Committee of Church Service Society, 1865.

Lee had already explored the liturgical field for himself, and had constructed his own book with what he deemed the best materials. Others, while following his example, were not prepared simply to accept his results. He would have liked that his book should be adopted by the Society, and that the members should use it as far as they found it practicable to do so. It was impossible, however, that there could be any general, or even a partial, agreement to this effect. The difficulty again emerged to which Professor Stevenson had pointed in the Assembly of 1864.

Dr. Lee was consulted about the formation of the Society, and was asked to become one of its vice-presidents, Principal Barclay being president. He writes —"I hope you will be prudent and wise, and don't take up your time by talking of Greek liturgies, and such far-away projects. None who have any tolerable acquaintance with those formularies, will imagine they can furnish almost anything suitable for us. Though theoretically less so, the Greek Church is practically more superstitious than the Church of Rome, and it is not prudent, or indeed possible, out of those crumbling ruins, to build up the fabric of the Church of the Future."

As the Society did not see its way to the adoption of Dr. Lee's book, so Dr. Lee was nowise inclined to alter the book, or to suspend the use of it in favour of any services which the Society might agree to adopt. The order of worship was his own construction; he had fought his way sturdily to the use of it; his congregation had received it unanimously; he could not be expected to alter his relations to the object of so many toils and struggles, though possibly if he had done so to a slight extent, some coming troubles

might have been avoided, and the ultimate success of his principles and aims been none the less certain. As it was, even some of the members of the Society were disposed to look askance on his connexion with it. "I may mention," wrote the correspondent to whom the above letter was addressed, "what of course you know from other manifestations of the sentiment, that even among those whose views are widening towards a Book of Prayers, there is a certain divergence of opinion and feeling as to your position and work; some thinking you have taken the right way, others that you have gone too far and too fast; and this was exhibited at the meeting of the Society. On your being proposed as vice-president, one man moved a negative. He was not seconded, and the original proposal was most heartily carried; but the fact of one opponent showed the existence, even where one would have least looked for it, of a jealous and contracted feeling." He replies—"According to my present ideas and feelings, I do not see there is any course open to me, except to request that my name should be withdrawn from a place I was never very clear it should have occupied. I have been several times asked to set on foot such a Society as this, but I saw so many dangers and objections that I always hesitated, and finally abandoned the idea. I still think I did right. Things at this moment are proceeding smoothly and successfully, and as fast as is safe, in my opinion. One false step may spoil all." He was induced to reconsider this decision, and not only did not quit the Society, but contributed to "Euchologion"* the first baptismal service in the

* "Euchologion: Book of Prayers issued by the Church Service Society." Blackwood, 1867. Second Edition, 1869.

volume, a reprint, with slight alterations, from that in the last edition of his own Prayer-book. He also communicated to the "Transactions of the Society" a paper on the "Arrangement of the several Parts of Public Worship," in which he urged the adoption of the order which he had followed in his own congregation. He says:—

"In the Church of Scotland—which admits no ceremonies, requires no recitation of creeds, &c.—the public worship consists of only three acts:—(1) *The Word,* comprehending Scripture Lessons, Expositions, Sermons, &c.; (2) *Prayer;* and (3) *Psalm Singing* or *Praise.* These, with the *Benediction,* constitute the whole ordinary Public Service; unless we include collections for the poor and for other Christian and benevolent objects; which also may properly be regarded as parts of Christian worship.

"The *Word* has always held a prominent—some think a too prominent—place in our public services. This applies to *Sermonizing, Lecturing,* or other discoursing by the minister. For *reading of the Scriptures,* as is well known, was long virtually disused in the Kirk. At present, the obligation* to read a lesson from each Testament at each diet of public worship, as well as to preach, is, we suppose, generally admitted by our clergy, and we hope it is at least generally complied with by them.

"It has been long the custom of the Kirk, perhaps from its first institution—certainly before the Directory so appointed, to have *three* prayers at each ordinary diet of public worship, though some of the 'Old School' still follow the practice (which we believe, was common in the early part of the present century) of praying only twice—at the beginning and at the end of the service. The number of psalms, left open by our formularies, is generally also *three.*

"Thus by general custom, as well as by our public laws, we have, as the constituent parts of our ordinary public worship:—(1) The *Word,* thrice repeated; (2) *Prayer,* thrice repeated; and (3) *Praise,* thrice repeated.

* Enforced by the Directory and by Acts of Assembly, &c.—See Act, 1856.

"Having thus got the *elements* of public worship, the next point for consideration is, in what order they should be arranged. Any one who ponders this subject will admit, (1) That there is a natural and proper order in which these different acts of worship should be arranged; and (2) That such order, if we can satisfactorily determine it, should be uniform and constant; that is, that the same act should at all times follow and precede the same; so that, for example, prayer should not go before praise in one part of the service, and praise before prayer in another. For the *reason* of the order—if there be a reason—is equally good in all parts of the service; and the worshipper should always be aware, without information from the pulpit, what act of worship is to succeed that which he is just finishing. Such things may appear trifling; but only to those who have not reflected how much the impression made by all works of art depends upon trifles. Now a Church Service is a work of art, as a sermon is, or a parable, or any other discourse, however weighty, solemn, or holy in its substance it may be.

"It will help us to settle the order in which the three acts of worship should arrange themselves, if we reflect that there is one of them that should in propriety come last, as historically and prophetically it does come last. *Praise* is the consummation of all worship; all prayers naturally run into Doxologies—as we see in the Psalms—of which tendency the spurious doxology appended to the Lord's Prayer is an illustration.

"The public worship, contrary to the Anglican practice, but according to the Presbyterian, should always end with praise.

"It being thus evident that praise should always follow the other two acts of worship; it appears almost equally plain that the Word, *i. e.*, God's speech to us, should go before our speech to Him. The first word (as we have heard it well expressed) should come from God. The first three acts of worship thus fall into their natural order. *The Word, Prayer,* and *Praise,* which order should never vary in any part of the service.

"To preserve it complete, however, a small change would require to be made in the mode of introducing the service. The custom of commencing with the minister reading a psalm in metre, to be sung by the congregation, is an accidental innovation, which arose in times when the people assembled earlier than the regular hour of meeting, and employed themselves

till the minister arrived, with hearing the Bible read and singing psalms.* The writer has himself witnessed this practice in the Presbyterian congregations of Northumberland. It is inconsistent with the mode of beginning the service indicated both in the Directory and in the Book of Common Order, and is on many accounts liable to objection. The minister should begin divine worship with reciting some one or more of those solemn and majestic sentences in which our Heavenly Father encourages His children to draw near to the throne of the heavenly grace. No objection, we believe, would be made to this slight change by any congregation of our Church; and if any objection were made, the minister would satisfy the most refractory by stating a reason (in addition to the above) which they would all comprehend—that by the singing of the first psalm after the first prayer, instead of before it, he afforded himself some relief from continuous speaking, and them from continuous hearing. This will be the more felt, also, when the custom of standing to sing becomes general, as it cannot fail soon to be.

"According to the ideas expressed above, the public worship naturally divides itself into three parts, each so far complete within itself, as containing the three elements of worship—The *Word*, *Prayer*, and *Praise*, thus:—

The First Part.	1. The Word—Scripture Sentences. 2. The First Prayer. 3. The First Psalm.
The Second Part.	1. The Word—The Scripture Lessons. 2. The Second Prayer. 3. The Second Psalm.
The Third Part.	1. The Word—Sermon or Lecture. 2. The Third Prayer. 3. The Third Psalm.

"Where there is only one service in the day, the above may be easily varied by making the Second and Third Prayer succeed the First and Second Lesson respectively; the Sermon being followed by a very short prayer appropriate to it, and the whole

* This part of the service was conducted by the "Reader."

concluding with an Anthem, Doxology, or something equivalent, thus:—

First Part.	1. The Word (Scripture Sentences). 2. The First Prayer. 3. The First Psalm.
Second Part.	1. The Word (Old Testament Lesson). 2. The Second Prayer. 3. The Second Psalm.
Third Part.	1. The Word (New Testament Lesson). 2. The Third Prayer. 3. The Third Psalm.
Fourth Part.	1. The Word—Sermon or Lecture. 2. Short concluding Prayer. 3. Doxology or Psalm.

"It remains to add a few words as to the character of the *First, Second,* and *Third* prayer respectively, and the matters which should be embraced in each. That public worship may produce those impressions which are desirable, a natural and intelligible sequence of ideas must be observed throughout, from beginning to end; and as in each of the three parts above sketched there is an ascent from the lower to the higher acts of worship, so in the whole service the same should be aimed at—to begin with 'the first things,' and end with 'the last things.' Proceeding from the fundamental ground of *faith*—the commencement and root of all religion in the soul—we must go on to the consequent and higher stages of hope and charity, taking along with us that Christian *obedience,* which is the issue and manifestation of those inward graces. In short, every complete scheme of public worship should be a summary and rehearsal of Christian life in its historical development and progress in the individual. It should proceed from a sense of sin, guilt, and misery; and laying hold of the mercy of God through Christ, it should, in His Spirit, go on to earnest endeavours after righteousness and purity, till at last hope brightens into assurance, and the love of God expresses itself in a fervent charity to men.

"*The First Prayer* (according to this idea) should be the *Prayer of Faith;* of humiliation before God; of confession of sin; of thanksgiving for the mercy of God through Christ; for

remission of sin and the assurance of it; and for grace whereby we may serve God acceptably at all times and in all things, especially in the service in which we are now engaged. In this state of mind we are prepared and permitted to say, 'Our Father which art in Heaven,' &c.

"*The Second Prayer* should have special reference to *Christian obedience*, to the mercies and privileges we enjoy as Christians, and to the duties, trials, temptations, and struggles of the Christian life. Coming after the Scripture lessons (one or both) it puts us in the position of soldiers of Jesus Christ, called to fight the good fight of faith, to endure hardness, to watch and pray that we enter not into temptation, in short to struggle that we may stand fast in the faith, may grow in grace, and be perfect in every good word and work.

"*The Third Prayer* leads us onward to the consummation of our faith and hope, to the end of our course, to death and judgment and the heavenly inheritance, and to preparation for these. It embraces intercessions in the spirit of charity for all men, their conversion and salvation, for the Church of God, for our country and its rulers, for the sick and afflicted, &c.

"No prayer in public worship perhaps should occupy less than five minutes, and certainly none should exceed ten. They should be clearly and naturally arranged, simple in language and thought, expressed as much as may be in the style of the authorized English Bible; and they should be altogether free from theological and philosophical terms and phrases, as also from all exaggeration, declamation, and rhetorical embellishment; and they should be thoroughly Catholic in their tone and language, without any tinge of controversial divinity or party spirit; so that in using them the worshipper may have nothing to remind him of the sect to which he belongs, but only that he is a member of the One Church of the Living God, which in one spirit worships One God, the Father, who is a spirit, through the one mediator, Jesus Christ.

"There is a custom which has unfortunately gone very much out of use in modern times, but which was well known to the ancient Church—and indeed occupied a prominent place in their Church worship—namely, *Silent Prayer*. It is pleasing to observe how general this practice is becoming in some of our con-

gregations, at the beginning and at the conclusion of the public worship—or rather before it begins and after it has concluded. This is the indication of an increasing decorum at least; we hope of something much better—of a deepening reverence and a more religious spirit. We confess we should like to see a little more of this. The silence that occurs at intervals during the celebration of the communion in the Presbyterian Church has a singularly solemnizing and impressive effect, when, the voice of the speaker being hushed, each of the worshippers is isolated—driven in upon himself, so to speak—left apart from the crowd of his fellow-worshippers alone with the great object of worship.

"We should like to see this introduced in the course of our ordinary public worship. Probably the most suitable time would be immediately before the sermon, when the preacher and hearers alike should feel disposed to call, each for himself, upon 'The Father who judgeth' for grace that that portion of the worship which is past may be acceptable to God and profitable to them, and that the word about to be spoken may prove to each a savour of life and not of death.

"This is done at least by the clergy in the Church of England, but in an incongruous manner; for the preacher engages in his private devotions while the people are singing; whereas all should be engaged in the same exercises at the same time.

"It might be proper to add a few words upon a point vitally connected with that which has now occupied our attention, namely, the part which the congregation should bear in the worship of the sanctuary. Their making no provision for this was a fatal defect in both the Directory and the Book of Common Order, and indeed in the Presbyterian liturgies generally. How their authors should have overlooked what was so prominent a feature of all ancient liturgies, and is suggested by so many passages of both Testaments, and exemplified in so many of the psalms, is unaccountable. The omission, however, not only impairs the solemnity of public prayer, it destroys its very form, by affording to the people no opportunity of identifying themselves with the minister, and appropriating the petitions by some audible expression of assent, either the *Amen* or

some other response. We believe there are few, if any, congregations in Scotland, which would not pronounce the *Amen*, at least at the end of the public prayers, if only the reason and propriety of the practice were plainly stated to them; and whatever may be said of other responses, this surely is indispensable.

"The things about which there has been and still is so much dispute among us, are not the private crotchets of individuals or inventions of some few fanciful men: they are, most of them, practices which have the sanction of well nigh the whole Christian Church in all ages and countries. They are truly Catholic and venerable: many practices which now generally prevail among us are, on the contrary, the real innovations—being recent, local, and particular, the result of party strife, and the brand of sectarianism. It is time we should lay aside our fathers' feuds and factions, their party spirit and their party badges, while we hold fast their faith and hope, and follow that glorious example of godly zeal and heroic patience which they have left us."

"Things at this moment," wrote Dr. Lee, on 22nd of February, "are proceeding smoothly and successfully." This pleasant progress was soon to receive a rude check. The Assembly of 1865 came, and with it came Dr. Pirie. Dr. Pirie had been the Moderator of the Assembly of 1864, and had closed its deliberations with an admirable address, in which the party of progress heard, with much satisfaction, sentiments of the most liberal character expressed with the vigour native to the Rev. Professor. These sentiments were, no doubt, chiefly expended upon the Dissenting Churches, but reasoning, *à fortiori*, it might be expected that Dr. Pirie, having devised liberal things for schismatics, would not be stringently intolerant, in future, towards any member of his own household of faith. These hopes were doomed to be disappointed. The Ex-Moderator, always influential

from the ability and force that dwell in him, and carrying with him an added influence from his recent elevation, came from the Moderator's Chair into the arena of conflict like a giant refreshed with wine, and shouting for the battle.

As before, there was not the slightest pretext for alleging that Dr. Lee was disturbing the peace of the Church, or troubling its prosperity. The voice of the public was either silent about his "innovations," or spoke in their favour. One meddlesome Synod, however, and seven injudicious Presbyteries* had sent up overtures to the Assembly, praying it to deal with the alleged innovations in public worship; and so the old unprofitable dispute was reopened.

Dr. Lee had looked forward to this Assembly with considerable hope of its following out the wise policy of its recent predecessors.

A short time before the Assembly met, he had been much gratified by a proof of the decided sympathy with his reforms felt in the city of Aberdeen, the stronghold from which Dr. Pirie issued. Several influential churchmen there proposed building a new church, offering a stipend of at least £500 to an able and liberal-minded minister, and having the service conducted on improved principles, and with the use of an organ. Between twenty and thirty gentlemen in Aberdeen promised subscriptions varying in amount from £25 to £100; and an advantageous site was fixed on for a handsome church. Dr. Lee was consulted, and in reply to a letter from one of these gentlemen, he writes on the 28th of April, 1865,

* One of these Presbyteries consisted of five members; and in another of seventeen members the overture was carried by a majority of one.

"It is, of course, very gratifying to me to hear of sympathy, among the members of the Church in Aberdeen, in views which appear to me so closely connected with the welfare of the Church, and the promotion of that for which the Church, and, indeed, all Churches, exist. A reformed worship must either be introduced, or we must soon lose all hold on the minds of the educated part of the community. *Nearly everything will depend upon your obtaining the right sort of man.* Could you not at once, or as soon as you have obtained so much money as shall warrant your proceeding, fix upon the minister? Otherwise I fear your whole object may be defeated by some one being chosen who may have sympathies not in accordance with those you indicate. I consider the use of an organ, or harmonium, a very small part of the reform we need . . . . I send a copy of the book used in the Greyfriars' Church. I am anxious to get it into circulation in Aberdeen by way of explaining and exhibiting what I mean by a reformed worship."

The project, it may be added, came to nothing. This was owing, in a great measure to unexpected local changes; and, says a correspondent, "the action of the General Assembly of 1865, repressed the zeal of those inclined to forward the scheme."

Up to the day on which the Assembly met Dr. Lee was in London. A visit to London was always a great pleasure to him; and he relished keenly the larger circle and freer atmosphere of the society in which he found himself there. I see shortly noted in his diary, that, on this occasion, he met or visited Lord Minto, Lord Rollo, the Bishop of London, Sir James Clark, Dean

Stanley, Mr. Grant Duff, Dr. Jebb, among others of greater or lesser mark. "How I wish," writes one friend to him, "we could have you now and then as a guest at our little Saturday breakfasts. To-day you would have been quite 'dans votre assiette,' with Kalisch, the greatest of English Jewish scholars, Colenso, Acton, the owner and extraordinarily learned editor of the (Liberal Catholic) "Home and Foreign Review," and some others."

"It must be a great pleasure," he replies, "to meet such men as Kalisch, whose works I know well, and of whom I have a high admiration; and Acton, whose 'Review' I have, and have read—as much of it, at least, as I have had time for. It is distinguished by great learning and ability; though, to my mind, the fundamental position upon which he rests is essentially and even obviously unsound. But are we not all inconsistent and self-contradictory somewhere? And I confess I have a secret sympathy with those who are determined to hold fast their Faith, however Reason or Doubt may struggle to tear it away. For without that anchor it is hard to live, and impossible to die, in peace. As to Colenso, his books speak his genuine, truthful, and noble character: and even they who abuse him, must admire his courage. I must say that a journey to London would be well repaid by meeting such men: and having myself no character to lose in regard to orthodoxy I run no risks."

"Home," he writes on the 18th of May, "Θεῷ δόξα."

The General Assembly met on the 18th; and on the 23rd began to debate the subject of Innovations.

The debate was opened by Dr. Pirie, who having

characterized the decisions of previous Assemblies anent Innovations as "milk and water," and "ridiculous," demanded that a sterner and more definite line should now be taken. The evil of diversity in the order and mode of worship, he averred, had been seriously increasing; and he buttressed this averment by quoting, from a third-rate Edinburgh newspaper, a penny-a-liner's account of the service in Old Greyfriars' and of a certain sermon preached in that church. "Is this masquerade of Popery," cried Dr. Pirie, with a bold appeal to the passions of his audience, "a thing you are prepared to sanction? . . . . But this is not all. There will be other changes. I am informed in a public newspaper that in a discourse in this Church to which I have referred—I shall not say where—there was a fearful onslaught on Effectual Calling. I say where is this to end?" After expatiating a little further on the dangers of inaction, and stating that the panacea for the present evils was to be found in the energetic discharge of the functions of the Presbyteries, Dr. Pirie drew to a conclusion.

"With regard," he said, "to the mere forms of standing, kneeling, or sitting at public worship, I hold them to be matters of no importance in themselves; and I would certainly not be rash in interfering with congregations if they are very jealous and very ceremonious concerning them. I don't think the desire about postures desirable, but, at the same time, I would say that Churches which from the beginning have adopted certain systems of postures may, I believe, continue them, and be equally spiritual; but, so far as my reading and my knowledge go, I have never yet known where a Church purely spiritual began gradually to have a great tendency to sentimentalism and sensuality, in forms, that they did not at the same time lose in spiritual-mindedness. We are the most pure and most spiritual Church, both in doctrines and worship, to be found anywhere since the

Reformation. It may be my prejudice, but such is my impression; and I am convinced, consequently, that if we are prepared to introduce all these changes for the purpose of tickling the ears and gratifying the senses of people, it can only, I fear, be because we are too little influenced by that real heartfelt spiritual prayer which alone rises to the throne of God. If you are to have any mere milk-and-water motions without any distinct conclusion or warrant to Presbyteries, we had infinitely better let them alone."

Dr. Pirie then read his motion, which was as follows:—

"Whereas, it appears from the tenor of the various overtures from Synods and Presbyteries, that certain ministers have introduced in their parishes changes on the form of worship and other ecclesiastical arrangements which have had the sanction of the laws and long-established usage of this Church; and that, without consulting with, or being authorized by, their respective Presbyteries or other competent judicatories, and under the pretence of a congregational independence of their Presbyteries with respect to such matters; and whereas such proceedings are inconsistent with the principles of Presbyterian Church government as at all times maintained by this Church, and recognized and confirmed by law under the Act of Parliament, 1592, commonly known as the Charter of the Church, and various other statutes, according to which the power of regulating all such matters is vested in Presbyteries exclusively; and such proceedings may, therefore, not only bring the Church into collision with the civil courts, but might, unless timeously checked, prove subversive of the Presbyterian constitution by the introduction of a practical system of congregational or sessional independency —the General Assembly, while recommending the utmost tenderness to the feelings of unanimous congregations as to matters of form, do hereby declare and enact that arrangements with regard to public worship, and all other religious services and ecclesiastical arrangements of every kind in parishes or congregations, are to be regulated by the Presbytery of the bounds, always subject to the ordinary right of appeal, and that even though no express law should exist with reference to such par-

ticulars—the decisions of Presbyteries in each case being absolute and obligatory until they have been finally reversed by the competent courts of review; and the General Assembly strictly prohibit all ministers and office-bearers from assuming independent jurisdiction in such matters as are inconsistent with the vows of submission pledged by them at ordination to the Inferior Courts, on pain of the highest censures; and in the event of disobedience, the General Assembly further authorize and enjoin Presbyteries to proceed with and prosecute such censures to such conclusions as may seem essential for restoring the peace and asserting the constitution of the Church."

In opposition to this motion, the unconstitutional character of which will afterwards appear, Professor Stevenson proposed the one which follows:—

"The General Assembly having considered the overtures on innovations in public worship resolve,—First, that the subject to which the overtures relate was by the General Assembly of 1863 remitted to a committee with instructions to consider the same in connexion with the whole subject of the laws and usages of the Church, and the present practice of congregations in regard to the administration of public worship throughout the Church, and at the same time to report whether, in the opinion of the committee, any and what legislative measures on the part of the Church seem necessary or expedient in the circumstances.

"Second. That the said committee gave in a report to the last General Assembly, wherein they expressed their opinion that it is not necessary or expedient to suggest any legislative measures on the part of the Church in regard to the administration of public worship.

"Third. That this report was approved of by the General Assembly, who at the same time expressed their determination to put in force the laws of the Church with respect to any innovations 'whereby the harmony of Presbyterian congregations or the peace of the Church in general is disturbed.'

"Fourth. That in these circumstances the General Assembly enjoin all Presbyteries of the Church to take care that due

attention be paid to the foregoing resolution of the last General Assembly, and that the purity of public worship which has hitherto characterized this Reformed Church be maintained.

"Fifth. That matters of such secondary importance as the postures adopted in the exercises of praise and prayer, and the use of instrumental music as an aid to the congregation in the former of these exercises, be left to be regulated by each kirk-session, with special reference to the feelings and wishes of the congregation — the whole proceedings of the kirk-session being in this, as in all other matters, subject to the review of the superior Church courts, and it being competent to any party interested to bring these proceedings, by petition or otherwise, under the notice of the Presbytery of the bounds."

The debate was continued for two days; and in its course exhibited, in sufficient force, some of the peculiarities which seem to attach to discussions between ecclesiastics; especially the exaggerated importance attributed to trifles, the inclination to use power arbitrarily, and the absence of charity. Sentences, in themselves unworthy of reproduction, gain an extrinsic value as illustrations of these characteristics. It is, therefore, not an utter waste of space to insert in these pages a few words from the lips of the Rev. Dr. Nisbet.* Assuming that any clergyman, who should introduce a change in worship which Dr. Nisbet should not see to be recognized by "the Act of 1707," broke his ordination vows, that rev. gentleman, in an appeal to the fears and prejudices of those whose mental constitution permitted them to give heed to what he said, proceeded:—

"I charge no man with breaking his ordination vows, but I am here to say that I should do so if I did not give obedience to the Acts of the Assembly. There is a great want of con-

* One of the Ministers of Edinburgh.

science in England in these matters—as, for instance, in the swearing to the Thirty-nine Articles. (Cries of 'Question,' from Principal Tulloch and others.) We are guilty of the same outrage on public morality, if we do anything to the subversion of the solemn trust with which we have been invested, when principles are attacked, and when day by day the triumph has been openly and defiantly boasted of. I thank God, sir, that that conscience is not mine. I could not go before God's judgment-seat and hope for pardon if I persisted in such a course. (Hisses, and cries of 'Oh, oh.') There have been practices which have passed into consuetudinary usage; but the Act of 1560 teaches me that I should take all means to impress my fellow-men with the shortness and uncertainty of life, and of the importance of preparing for death and the judgment to follow. While the administration of the Lord's Supper is ordained to be dispensed four times a-year, for generations it has only been dispensed twice. In the 'Lives of the Archbishops of Canterbury,' it is said that all great changes for the better were resisted by the Popish Church. I don't wonder at that, because the Church has always been hostile to progress and to those measures which, upheld and demanded by public opinion, ultimately become law. There is no warrant, however, for me to break my ordination vows, or to do what would infer the deprivation of my privileges as an ordained minister of the Church of Scotland. But I shall not dwell on these things and their tendencies. I merely say that we have no guarantee that innovations are not to be extended and multiplied. Why should they stop with kneeling at prayer, &c., before degenerating into symbolism and ritualism? To show how necessary it is that some steps should be taken in the matter, it was only reported to me the other day that a church within our own bounds was considering whether they should have an embroidered altar-cloth, and, for anything I know, surmount it with a crucifix. If such things are allowed, they cannot stop short at such a point, because we shall have other gentlemen consulting their own tastes, and we do not know what bastard and mongrel alterations may be attempted. In reference to the whole matter, I could use readily the words of Scripture, 'Surely an enemy had done this.'"

The two most notable speeches in the first day's

debate were those of Principal Tulloch and Dr. Macleod, both, it need scarcely be mentioned, in favour of the motion of Professor Stevenson.

Towards the close of his speech, referring to some of the unbecoming allusions which had been made to the English Church, Principal Tulloch said :—

"I look upon the Church of England as set up for the defence of the faith; and when we think that this faith is at this moment undergoing attacks in comparison with which all your discussions are not worthy to be mentioned—and remember that while from this Church there may have come some of the spirit of excessive freedom which has led to a free handling of Scripture, we should remember that there has come from it, at the same time, the most successful, the most able, and the most distinguished answers to these attacks upon the Christian faith. I should tremble for our position if we were to call the Church of England an unreformed Church, or if we were to refuse to express sympathy with it, whatever may be its weaknesses and defects. . . . .

"In conclusion, I may say that I do not attach much importance to these questions of innovations. But I attach some importance to the attitude which the Church of Scotland may take up in regard to them, considering the prevailing spirit of the time, and the growth of a higher thoughtfulness in this as well as in other matters. This higher and more Catholic spirit—which feels its oneness with other Churches—is a spirit which commends itself entirely to my Christian feeling, and I should wish to see it growing. The Church of Scotland may do a great work in guiding, educating, and controlling this spirit. If it neglect this work, it will neglect one of its highest functions. One thing is certain that with the spirit of the seventeenth century, which clings merely to the letter and refuses to advance beyond traditions however dead and worn-out the Church of Scotland cannot identify itself, although with this spirit there are those who are prepared to identify themselves. It is impossible we can ever make any ground in this direction, and I should tremble for the Church if it does not

in some way try to recognize its position,—the good it may still do for the country, in educating what is good and noble in the rising thought of the time,—and so attain to a higher and nobler attitude of Christian usefulness than it has ever yet occupied."

Dr. Macleod said:—

"In regard to this question of expediency, I desire to express to the General Assembly what my sense is of the position of the National Church of Scotland. I think that we differ very much from other Churches in this point—namely, that we are the Church of the nation — that is to say, we are bound to consider the nation. Any other Church is bound only to consider its own principles. A sect is bound to consider the principles of the sect—or, not to use disrespectful language, a particular Church, the Free Church, the United Presbyterian Church, the Baptist Church, the Methodist Church, or the Independent Church, are, so to speak, bound, next to their duty to God, to consider exclusively very much the wishes of their own people; whereas it seems to me the Church of Scotland, because it is a National Church, because it is not for a separate part of the community, but for the nation, because it is guaranteed protection by the nation, is bound not to consider its own members, but is bound to consider the whole country and its feelings. I ask any man to study the history of the Church of Scotland, and to say if the divisions in Scotland have been occasioned by a laxity in regard to legislation—a laxity in regard to rules and regulations? Will any man say that these divisions would have been prevented by additional regulations; or rather, have not these very divisions been occasioned by a want of fair and honest liberty? You may speak about the fathers of the Church. I might go back to an older father of the Church, and I would peril the whole case upon him — I mean the Apostle Paul. I do not know what he may think of these divisions now-a-days. If his opinions came to us in different words, and if people did not suspect they were in the Bible, I believe that many would put him down as a thorough latitudinarian. I am disposed to think that they could not understand, as some really could not under-

stand, a man who could become a Jew to the Jew, and a Gentile to the Gentile, not for the love of popularity which he so thoroughly despised, but for something higher,—that he might 'gain some.' They could not thoroughly understand a man who said, 'One man esteemeth one day above another; another esteemeth every day alike. Let every man be fully persuaded in his own mind.' I do not know if the Apostle Paul would have made his office-bearers sign the Confession of Faith—whether he would have made Phœbe the deaconess do so; but I am sure that in all things, both in his teaching and in his life, he expressed that principle which is embodied in the old adage, 'In things essential unity, in things indifferent liberty, and in all things charity.' This is the spirit which should actuate the Church of Scotland; and the sectaries might have been prevented if we had had a little more consideration for the feelings and opinions of others. Instead of always digging a ditch, always proving how we differ from every Church on earth, I wish we had more bridges,—and a little more Catholic feeling towards other Churches; instead of looking to our own individual happiness, I wish we had looked a little more to the feelings of the country. I think the very genius of a National Church should be inclusiveness as far as possible, and not exclusiveness; and that if any portion of the people of Scotland have strong opinions or feelings on any one question, be it Church music or be it a liturgy, still you should at least respectfully entertain that question. As a Church you dare not put it away. You have to do with it; you are not to be bound down for ever by the Act of 1707. You have this great gag put into a man's mouth every time he proposes any one measure; but if these old Acts interfere with our duty as a Church, then let us boldly say that they do interfere, and get quit of them as far as we can. But I think there is no necessity whatever for any revolutionary changes, no necessity for bringing forward any great reforms by Act of Parliament to enable us as a Church at this moment to do our duty to the nation."

Dr. Lee spoke on the second day of the debate; and never spoke with greater logic and force. His admirable qualities as a debater shone conspicuously, as he ex-

amined point after point in the speeches that had preceded his; and, meeting their arguments or fallacies, defended his own position, and what he held to be the constitutional liberties of the congregations and Kirk Sessions, which Dr. Pirie wished to curb. Much of the argument, of course, was but a reiteration of what, in various forms and on many occasions, he had urged before, as to the inconsistency of the law and the existing usages of the Church; as to the freedom permitted by the law; as to the ancient practice of the Reformed Church, in kneeling at prayer and standing to sing, and using set forms of prayer for ordinary worship and for the Sacraments, from which the present custom (the offspring of English Puritanism) was a departure. Taking up Dr. Pirie's proposal to vest a new power of control in the Presbyteries, which had been forcibly backed by the Procurator, Dr. Lee said:—

"The Presbytery has only power to adjudicate within the boundaries of the law. It has no power, as some people seem now to think, to make a constitution for itself, and to act on its own responsibility. It can only decide according to law; and the kirk-session, in regard to public worship within the particular parish, has that power assigned to it as its special function. Now, why should the Presbytery interfere, if no law of the Church has been broken, and no injury, confusion, or secession has taken place. I admit that the Presbytery has a right to interfere if any detriment has come upon the Church; but I ask you, is there any reason or expediency why they should interfere if no detriment to the Church can be pretended? I follow that up by another question—Has it been the practice for Presbyteries to do so? or for the Church to do so? You must look back a little to the history through which you have passed. Nobody can doubt, and nobody does doubt, that in regard to your worship, in regard to your practices and usages, you differ in many important respects from those which pre-

vailed at the time when the Directory was established, or when the Book of Common Order was in use. Everybody knows that. It has been repeated since the year 1859 a hundred times. It has been said, you baptize children in private—you marry in private—both in express violation of the Directory, and of the Confession of Faith also, in regard to baptism; not in regard to the Lord's Supper, but in relation to baptism that practice is condemned. You pray at funerals; John Knox's liturgy forbids you to do so; and the Directory in express words forbids you to do so. You read your sermons. There is no law on that subject; but in the early period of the Church the reading of sermons was unknown; and the first man that attempted it in the High Church of Edinburgh is characterized by Baillie as a presumptuous puppy. 'This offensive innovation,' says Baillie. There is no such expresson in all your history in regard to the reading of prayers. You will find no one coming down with a denunciation of that kind as to read prayers. They had been accustomed to read prayers down to 1638, and the Directory was made for people who had been always accustomed to read prayers. But the reading of sermons was abominated, as it is to this day in many places. Now, has the General Assembly ever given anyone authority to pray at funerals, or to read his sermons, or to marry in private? Has any Presbytery done so, or been asked to do so? No; these and all the other changes that have been brought about, have, without a single exception, been accomplished in the very manner which is now censured as an act of insubordination, and an attack upon the constitution of the Church. I challenge any man in this Assembly or anywhere else, to deny these facts or refute the consequence which arises from them. You have introduced choirs, you have introduced gowns and bands, you have done twenty things, and you have not received the sanction of any Presbytery, Provincial Synod, or General Assembly, to warrant your proceedings; and yet you sit with a good conscience, and you keep your countenances, while you censure a brother who has done the very thing which has been done for 150 years, no man condemning it. This seems to me very strange. And what do gentlemen propose now? They propose, forsooth, to bring in the Presbytery. I think that is the greatest blunder that could be committed. What is the Presbytery to do? In the first place, I

am astonished at the inconsistency of this. I don't want you to sanction these innovations. By asking Presbyteries to sanction these innovations, you are sanctioning them. I don't ask you or wish you to sanction them. I want the Church to be left free hereafter to consider this matter if it be necessary; and if any detriment is proved to have arisen to the Church, or if any confusion has arisen, to deal with the matter then, with clean hands, and free from any decision of your own, compelling you to act in a way contrary to all your principles. But to ask Presbyteries to consider and sanction innovations past, present, or to come, is, I submit, a very great blunder, and a fettering of yourselves for the future, as well as departing from the uniform practice of the Church in past times. But what shall the Presbytery do? Some reverend brethren with whom I took counsel before introducing an instrument into Christian worship, told me when I consulted them, that they were sure the Presbytery would take it well if I consulted them about this matter. I was most anxious to consult the Presbytery, if I had not felt that consulting them would compromise both me and the Presbytery, and put them in a difficult position in which I had no right to place them. It was certainly altogether according to my inclination to have consulted them; but if I consulted the Presbytery in this matter, I must have entirely relinquished my own freedom, for I never could ask the Presbytery for their opinion and their sanction, unless I was prepared to abide by their advice or counsel, whatever it was. I should have been insulting my brethren if, having consulted them as to the propriety or lawfulness of this matter, I had not implicitly submitted to the advice which they had given me. But this innovation was either contrary to the law, or it was not. If it were lawful, as I believe, and believe now it was, the Presbytery had no right to forbid it; if it were unlawful, the Presbytery had no right to sanction it.

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"If these innovations are, in the opinion of the General Assembly, in any respect unlawful, then it is not within your competency in this way to give a Presbytery the power of sanctioning them, or of intromitting with them in any respect. And, therefore, I think you will commit a very great blunder indeed —and something worse than a blunder—if you bring the Pres-

byteries in to sanction, or approve, or give their advice respecting these innovations in any way whatever. I ask you to do in regard to these innovations what the Church of Scotland has hitherto done in regard to all former innovations; let them alone until some evil arises, until congregations get into confusion, or schisms and quarrels arise, and the Church begins to be injured. Then I shall be in the majority if I am alive, advising the General Assembly to interfere in the question by all means. But viewing the matter practically, I think the interference of the Presbytery is a very great mistake."

Adverting to the kind of charges and insinuations about unfaithfulness to ordination vows, and doctrinal no less than ritualistic error, which had been freely thrown out, Dr. Lee continued (and the punishment, if it fell heavily, was not undeserved) :—

"A certain newspaper has a correspondent who writes to the newspaper that he had been in Greyfriars' Church, or at all events he writes as if he had been there, and he finds the very things which Dr. Pirie described. He finds, not perhaps an altar, but something like an altar, and the minister, somewhat like a priest, officiating at one end, and the curate officiating at the other end; and there are two candles in the middle (they are candles first, but it becomes gas) and the gas is turned down so as to carry out the symbolism of the Church of Rome; and then there is a description of the sermon, which was only twenty minutes long, and in the sermon I make a furious onslaught not only upon Calvin and Knox, but treat S. Paul himself with very great disrespect; and among other atrocities I speak of the Shorter Catechism, and I make an onslaught also upon the doctrine of effectual calling. Now, sir, does the Rev. Doctor say that he does not allude to me? or can he name a newspaper article in which any other person was described in this manner? The newspaper is very well known. It is a newspaper which lives by abusing the Church, and by abusing everybody who is believed to be doing any good service to the Church. Is it well for a professor—a man who has just descended from the Moderator's chair—to take up the railing and mendacious absurdities

of this print? (Loud applause, during which Dr. Pirie rose and attempted to make a statement, but was obliged to resume his seat.) I say, was it well for a man in his place in the General Assembly to bring this railing accusation, because, though he does not name my name, he had far better have done so. He says, indeed, that he does not know if it is true. That only makes the thing much worse. If he does not know that a slander or evil report is true, does his conscience not tell him that he should not circulate that report? (Loud applause.) Does he not think that he owes some duty to society or to himself, and that that might require him to know as to the truth of it. But he says he does not know whether it is true, and then he stands forth in the General Assembly, and before the whole community, and speaks in such a manner as to diffuse that ridiculous slander; and in such a manner as showed that if he did not believe it to be certainly true, it appeared to be so. I shall prove that to his own satisfaction; because he founded an argument upon it. Does the Rev. Doctor say he founds an argument on what he believes not to be a fact? He brings an allegation before you, and he says it proves that the bonds of your discipline are being relaxed, and that the Church of Scotland is getting into anarchy, and a hundred other dreadful things are taking place. He founds an argument upon the allegation, and therefore he must have either believed it to be true, or he must have committed an absurdity in so reasoning. Now, sir, I forgive my friend. I am so much in the habit of being maligned and having falsehoods circulated respecting me that I have got quite accustomed to it, and I pay no attention to it when it comes from such quarters as the newspapers of Edinburgh. But I take it ill when my brethren with whom I am on terms of friendship behave in such a manner; and it grieves me when I see a Christian man who has just descended from the Moderator's chair, attack a brother by such poisoned weapons as these. (Loud cheering.) Moderator, if I had consulted my own feelings, I never should have stood at this bar charged with innovation. I should have done as other brethren have done, with whom I have long ago spoken on the interests of the Church of Scotland, which, whatever any gentleman believes, are dear to my heart. I should have said what they said, admitting the reasonableness of what I suggested,—'It

will last my day.' That is not my feeling. As a minister of the Church of Scotland, bound to it by solemn vows, and having the keenest conviction that it has done the greatest service to religion and morality in this country in time past, and is still doing it, and is capable of doing far more, I have felt myself bound to use any little influence or power I have in removing those things which I knew were obstructions, and in giving scope to the Church to act more powerfully on the Christian community at the present day than it can ever do, if certain things are maintained which might once be expedient, but which are now not expedient or necessary. Neither in these times, nor at any time, can a National Church be a sect, and if any Church shall persist in being a sect, it can no longer remain a National Church. You can maintain your position only in these times by being or making yourselves really a Church—that is to say, by expanding your principles, by not thinking yourselves bound by every regulation or custom which a more barbarous and ignorant age may have originated, but by acting on the principles of those men who established the Church and reformed it. What did they say? They said the present state of things is all wrong, and they introduced alterations. In the middle of the sixteenth century what did they say? They said this Liturgy of Knox is somewhat venerable, and they put aside the Scotch Confession. They did the thing which if any man in this House would propose regarding the Confession of Faith, he would be denounced as a heathen and an infidel. These General Assemblies, to whom you give so much honour—whose catechism you honour, revolutionized the Church. They put away the Confession, the very basis of the Church, and they introduced a new Confession, differing in many respects from the old Confession. They conducted that great revolution, and you applaud them for it. I say, then, look at the changed state of society. They believed it was necessary, in order to secure uniformity in the three kingdoms, to make a revolution in the Scotch Church, and they made it accordingly. I don't want you to make any alteration, but I want you not to fall down superstitiously before things because they are old. You also are free; you also are redeemed sons of God as much as Knox, or Melville, or Rutherford, or any of the men whose memories we justly revere. Everything they did we may undo, if we see it

to be our duty. We have a right to judge of all their judgments, and to determine for ourselves. What powers the General Assembly of 1638 had, you have. The Spirit of God is not withdrawn from the Church. The Word remains, the Spirit remains, your experience is increased, history has given you innumerable lessons which it had not given them. Don't think yourselves slaves because some men say you are slaves. You are free to judge all things, and hold fast that which is good; and I hope the slavish advice which has been from many quarters addressed to this General Assembly will be repudiated; and that we shall look at ecclesiastical regulations and all such matters in the light of our own times, and in relation to the necessities of the population, and also of the sects around. I said before, and I shall conclude with the remark, that in my opinion the Church of Scotland has gained more by the liberal and forbearing decisions of the last five years, than by anything it has done for a very long time. A change of public opinion has been taking place, more and more decided, from the moment the General Assembly showed that it was determined to walk in the true spirit of Christianity, and not to affirm that the kingdom of God is meat or drink, but that it is righteousness, and peace, and joy in the Holy Ghost. If you want to damp the zeal of the educated part of the community, on whom you must depend mainly, you will adopt such a motion as that which the Reverend Doctor proposes. But if you be wise—if you understand the true spirit of Christianity and your own true position—you will pursue a very different course; and I venture to predict—and I hope some of you may remember it—that if you do, the progress of the Church, the tendency to enlargement, to rise in the estimation of Christian and enlightened men, will become from day to day more decided and conspicuous. At the same time the rage of the sects around you will very likely increase. Let it increase. Your safety as an Established Church is in an appeal, not to worn-out prejudices, not to obsolete bigotries, and the narrowness of past days. Your policy, your safety, lies in appealing to something higher, to the increasing intelligence of the people; for let me tell you that if you put down this innovation, it will be at your own cost—you will have to undo your own acts. The spirit of the times will to-morrow, or some day soon, compel you to give away. I think I see in this country

an increasing disposition on the part of the people to favour the Established Church. They see that in Established Churches alone is any real liberty to be enjoyed. They are becoming more and more aware that it is only clergy protected by the constitution who can act freely, or say what they really think. Keep that in your view, and act upon it. Don't attempt to put aside your constitution to-day. Look at the permanent and future interests of the Church. Advance with the time, when time is advancing in the way of wisdom; and He who stands between the candlesticks, and out of whose mouth goeth the two-edged sword, will shine upon you, and favour you, and protect you, so that He will make even your very enemies to be at peace with you." (Loud and long-continued cheering.)

After a protracted debate, the division was taken. Professor Crawford had proposed a third motion, which occupied an intermediate position between Dr. Stevenson's and Dr. Pirie's. The house first voted upon it and Dr. Stevenson's, when the latter was carried by a narrow majority of seven; but on Dr. Stevenson's being put against Dr. Pirie's, Dr. Pirie's secured a majority of 33; the numbers being 173 to 140.

"After a debate of two days," says Dr. Lee, in his diary, "the General Assembly gave a decision against Innovations, by a majority of thirty-three, thus contradicting and overturning the decisions of former years, and especially that of 1864. There are, however, abundant consolations:—1st. The decision is contradictory, impossible, and revolutionary; and 2nd, The minority comprehended almost every man of decent talent and position in the Assembly. There was not a speech in support of the motion that was carried that displayed even moderate knowledge or ability. By a larger majority the Assembly rejected my motion for

a committee to inquire whether the subscription and declaration presently required of Lay Elders be required by law. Only twenty-eight, *i.e.* twenty-five ministers and three elders, voted for the motion. How ambitious men appear to be to continue slaves!"

The Rev. Ranald M'Pherson, of S. Luke's, Edinburgh, who had been quashed both by the Presbytery of Edinburgh, and the Synod of Lothian and Tweeddale, in his attempt to renew the prosecution of Dr. Lee in 1864, had appealed against the decision of the Synod. The appeal came before the Assembly. To those contemplating the acts of the Assembly from without, it appeared that the natural course would have been to decide an appeal of this kind before proceeding to new legislation on the subject with which it was connected. The manipulators of the orders of the day, however, thought it safer to postpone the appeal until Dr. Pirie's motion had been carried. The reasons which caused Mr. M'Pherson to be defeated in the Presbytery and the Synod, must of necessity secure his defeat in the Assembly; and had his appeal been ignominiously dismissed before the general question of innovations had received Dr. Pirie's and the Procurator's vigorous treatment, the dismissal might have so affected the judgment of simple-minded brethren, as to endanger the success of the Rev. Dr. and the learned gentleman. With much prudence, therefore, the debate was taken first. After it was over, the appeal was brought up. Mr. M'Pherson made his speech, and, Dr. Lee declining to make any reply or defence, the Procurator proposed the singular judgment—"Dismiss the dissent and complaint, and affirm the deliverance of the Synod com-

plained against: but having regard to the enactment of the present General Assembly following on the overtures anent innovations, reserve full power to the Presbytery of Edinburgh to take such steps regarding the matters referred to in the motion of the complainer of 27th July last, as they in their discretion shall think fit."

The full advantage of having taken the appeal after the debate was obvious now; but the ungenerous irregularity of appending a reservation founded on a decision which was not yet even in print, to a dismissal of an appeal, was too glaring even for this General Assembly. It was immediately protested against. Dr. Macleod threatened to divide the House unless it were withdrawn. "It must be presumed," he said, "that the Presbytery of Edinburgh know their duty. I think they understand the meaning of the decision that has been given to-day, and why we should go to the utmost limit to do all that we possibly can in the matter, instead of leaving them with a certain amount of amenity, I do not understand. There are speeches one sometimes hears on these questions with a vast deal of correctness in them, with a great deal of the knowledge of law, and so far as the latter is concerned, excellent, but which remind one of the spirit of Shylock. The moment you wish that something genial or kind should be done, you are always met with the cold icy saying, 'That is not in the bond.' If you ask—'Shall we do this or that?' you are asked—'Is it in the bond?' Supposing it is not in the bond, I think, considering the feelings excited during the last two days, the resolution should now be put in the most gentle form. There is no necessity for the reservation." The

Procurator had, reluctantly, to cancel his reservation. On the judgment of the House being intimated to the parties at the bar, Dr. Lee acquiesced in it, and added, with great dignity of tone,—"I hope the innovation will never be exhibited in this House, of a Procurator advising the General Assembly to adopt a motion with an understanding."

It would be difficult to say what caused the reaction in this Assembly. It is indeed difficult, at any time, to account, on logical principles, for all the decisions of the Supreme Court of the Scottish Church. The Assembly can hardly be said to give a continuously fair representation of the mind of the Church. It may do so, and it may not. It is to a great extent a fortuitous concourse of atoms. Nominally representative, it is not really so, because the great majority of its clerical members are sent up by rotation, not by election. Thus a liberal majority of a Presbytery may, for a year or two, find itself represented by the illiberal minority, whose turn it is to go up, or *vice versâ*. The only permanent element in the Assembly is found in the Elders, who are commonly elected, year after year, by the same constituencies. A large number of them are Edinburgh lawyers, who, being on the spot, are sure to attend, and are therefore elected by distant burghs or presbyteries, which possibly do not possess local representatives of the kind they like. These learned gentlemen are not generally found on the side of ecclesiastical progress and freedom, and they add a heavy weight to a reactionary majority, when the whirligig of time, or some other cause, has filled the Assembly with a strong body of conservatives. The Elders swelled Dr. Pirie's majority dutifully on this occasion.

In the debate on Subscription to the Confession, to which Dr. Lee refers in the extract from his Diary, on a former page, they also voted with surprising unanimity with the noes.

In 1864 a committee had been empowered to enquire and report as to the condition of the Eldership throughout the Church. On that occasion, Dr. Lee and Dr. Bisset had both stated that they knew that the stringent subscription at present exacted from Elders, was a bar to many good and intelligent men assuming the office. This stringent subscription, Dr. Lee pointed out, was not required by Act of Parliament, but only by the Assembly's Act of 1707, which, therefore, the Assembly might, if advisable, rescind. The report of the committee informed the Church of the unpleasant fact that in 109 parishes there were no Elders, although only in one parish was the subscription alleged to prevent members of the Church accepting the office of Elder. This parish was Dr. Lee's own, although, had those most concerned spoken frankly and forcibly, it would not have stood alone. Again and again had he been met in his efforts to increase his Kirk Session with this difficulty. "I was not aware," writes one gentleman whom he wished to appoint an Elder, "that at his ordination an Elder was required to declare his belief in the *whole* doctrine of the Confession of Faith; and having now carefully perused that book, I must acknowledge that there are some parts of it to which I could not conscientiously assent. I refer particularly to the third chapter, where it is stated that by the decree of God, *for the manifestation of his glory,* some men and angels are predestinated unto everlasting life, and others fore-ordained to everlasting death."

Another gentleman, who would have been a help and credit to the Church in any Kirk Session, writes:—

"My dear Dr. Lee,

"I was not at all aware until I had looked into the book you kindly sent me on Wednesday evening, that any one, before becoming an Elder, was required to testify his belief 'in the whole doctrine of the Confession of Faith.'

"I immediately sent for a copy that I might see if I could reconcile my own belief in the doctrines of Christianity, with the interpretations put upon some of these by the Westminster divines in the Confession of Faith; but a fresh perusal only confirms the conclusion I had formerly come to, that some of these doctrines, as laid down in that Confession, are inconsistent with my conception of the character of the Almighty as a God of Love, and are such as I cannot profess my belief in.

"I intended to have come over to George Square this evening to see you on the subject, but just now learn you are not to be at home. Under these circumstances, however, I feel it would be impossible for me to give the required pledge, and I can only regret that anything should bar a closer intercourse with one I value so much as I do you.

"Believe me, my dear Dr. Lee,

"Always affectionately yours,

"_____."

Nor was Dr. Lee's knowledge of this hindrance drawn from experience in his own congregation merely. Many correspondents in other congregations had communicated with him about it, owning the difficulty, and inviting his help in getting it removed. He had on different occasions directed public attention to the rigour of the subscription in the *Scotsman*. In a leader on 7th January, 1865, he says:—

"Churchmen have never shown any aptitude or any tendency to 'undo the heavy burdens and let the oppressed go free,' in a spiritual sense. They appear always to have felt and

acted as if 'binding of heavy burdens and laying them upon men's consciences'—their own included—was part of their sacred function. This perhaps might be explained—at least it cannot be denied.

"The extension to lay elders of the requirement to sign the Confession, &c., is a gross example of the same tendency. When we consider that the Westminster Confession consists, not of a few simple propositions, such as the ancient Creeds, which a person can hardly hesitate about without appearing to doubt of the Christian religion itself, but a considerable volume, containing minute definitions of a multitude of obscure and difficult matters which are never defined, and some of them hardly mentioned, in the New Testament — that that Confession contains a compendium of all the religious controversies which had been carried on during a hundred and fifty years of the most active disputation on theological questions that ever has occurred since the Christian religion existed — disputations between Catholics and Protestants, Trinitarians and Socinians, Calvinists and Remonstrants, Presbyterians and others who asserted Church government on the one hand, against Independents, Baptists, and a host of minor sects who denied it on the other—and when we add to these its categorical decisions on metaphysical disputes, which had exercised the subtle wits of schoolmen and doctors during the middle ages, and even from the days of S. Augustine;—and that, not satisfied with points of Christian doctrine and scholastic theology, it even goes so far as to pronounce dogmatical determinations upon several matters of history and criticism, which in the very nature of them neither are nor can be taught or settled in the Word of God—the only authority the Confession professes to recognize;—when we consider how intricate, difficult, and extensive an affair the Confession of Faith thus is, we may well wonder how it should ever have been adopted at all as a symbol, even for clergymen, by any Church. But that it should have been thought proper or necessary to impose such a creed upon lay elders—men who are not professional divines, nor receive a clerical education, nor are necessarily learned or even well educated in any sense—who, on the contrary, are often men in the lower ranks of society, and must be so in many parishes—small farmers or shopkeepers, weavers, smiths, tailors, wrights, and even day-

labourers—men often of conspicuous piety and godly zeal, and almost always of exemplary morals, but utterly unqualified to form an intelligent opinion on those points of metaphysical theology with which the Westminster Confession so largely deals—that upon the consciences of such men such a document should have been imposed is amazing, and shows too clearly how little regardful of men's consciences clerical zeal is apt to be. To ask a common man to declare in the presence of God that he acknowledges 'the whole doctrine of the Westminster Confession, as the confession of his faith, and that he abjures all tenets and opinions, &c., contrary to the same,' is an outrage not only upon conscience, but even upon common sense. The Legislature or the Civil Courts have not perpetrated or sanctioned any such offence against propriety. We owe it entirely to 'that freedom of synodical action'—that liberty of the clergy to manage and settle spiritual affairs, which some ecclesiastics of the English Church sigh for, but which the laity, if they be wise and regardful of their own spiritual liberty and that of the clergy themselves (which is in greater danger) will not yield without mature consideration."

In the discussion which followed the presentation of the Report on the Eldership, Dr. Lee said :—

"Sir, I am astonished that only one parish has made that complaint, because it must be in the knowledge of those here that that objection is widely felt and frequently expressed ; and there are ministers here who, if they choose to communicate the information they possess, will tell you that they find it impossible to obtain a single elder on that ground alone. A clergyman well known to me has made more than one effort to increase his kirk-session, which is reduced to very small proportions ; and every individual he has applied to has given one answer—that they were perfectly willing to do what they could to assist him in his parish, that they were strongly attached to the Church of Scotland, and anxious for its prosperity, but that they could not bring themselves to subscribe so large a document as the Confession of Faith, they not having received a theological education. I see that some gentlemen laugh at this statement. I suppose the gentlemen who smile at this think

that the requiring of such tests from lay elders is coeval with the Church of Scotland. They will say that the Church of Scotland never existed without elders, and as the Church of Scotland never existed without elders, so it never existed without these subscriptions. There cannot be a greater mistake than that. So far as I have observed, the requiring of a test of this kind from lay elders never was spoken of or thought of until the year 1690; and I believe it was thought of then only in consequence of the keen controversies that then existed, the keen conflict that was then going on between the Episcopal and the Presbyterian Church; and the proposal was first made in 1690 entirely upon that ground. This Act, or suggestion of an Act, of 1690, was ratified in 1700, or rather an Act of a more stringent kind was passed. The General Assembly of 1700 indicated that lay elders, as well as others, should sign the formula which had been drawn up in 1690; but on turning to that formula you discover two remarkable things. The first is that there is no allusion whatever to elders in that Act. There is no appearance of an intention on the part of the framers of that Act to impose it upon the lay elders. There is no word about elders in the formula, although the Act of 1700 says that they are to sign according to the formula prescribed in 1694. What is more remarkable is this, that the test then imposed upon ministers is more stringent than the Act of 1694 suggests. That Act of 1694 contents itself with reciting the words of the civil law on this subject. The civil law on the subject, so far as I know it, was passed in 1693, and is called 'An Act for securing the quiet and peace of the Church.' Therein ministers—not elders—are required to adhere to the Confession of Faith; but not at all in the stringent terms which have got into our Act since. The test, as you now impose it, is far more stringent than was the test imposed in this Act. And particularly in that 'Act for the settlement of the quiet and peace of the Church,' there is no allusion at all to this test being imposed on lay elders."

At a later meeting of Assembly, the subject was again discussed in connexion with a petition from twenty-six elders of the Church at Paisley, who prayed the House to remove the injunction compelling Elders to

sign the Confession before their ordination. This petition had originated entirely with the Elders themselves, and was signed, as a correspondent informs Dr. Lee, "by gentlemen of widely varying age and profession, from the venerable banker of seventy to the young warehouseman or teacher of twenty-five or thirty. You have, also, in it the signatures of men who have been office-bearers for nearly half a century, who are forced to recognize at length the necessity of some change being made, so that the more thoughtful and intelligent members of the congregations should be able to accept, without hindrance, the office of the Eldership." Founding his proposal on this petition, Dr. Lee moved that a committee should be appointed to inquire whether the present subscription is required by law. He said:—"If the subscription at present required from Elders be required by the law of the land, of course the question is settled; and as this is at the best doubtful, surely it is very expedient and very necessary that the General Assembly should know it. If, on the contrary, it should turn out, as I believe it will, that the declaration and subscription are not required or sanctioned by the law of the land, then the General Assembly may consider what it is proper for them to do in the circumstances."

A hot debate ensued. Clergymen and Elders, with equal persistency, insisted that this proposal was an attempt to undermine the Confession itself. Replying at the close, and in special reference to this, Dr. Lee remarked:—

"The stability of the Church has nothing to do with this matter at all. The Confession of Faith is settled by law. It is an Act of Parliament, and no resolution of ours can set that

Confession of Faith aside, or exempt ministers from signing that Confession of Faith. As I have already said, it is quite otherwise with lay elders. As to the result of separating the clergy from the lay elders, why, the Act of Parliament makes the separation. It requires the one to sign, and it does not require the other; and then, further, as to the impropriety, or impossibility, or incongruity of elders sitting in Church Courts who have not signed the Confession of Faith,—I am not able to understand what the meaning of that is. Can a man not judge whether an opinion be according to one document or another, unless he begins by swearing that he believes in the documents? What we want is a judgment according to the Confession of Faith, not a judgment according to the opinion of the man who is not at the bar but in the House. Shall the judges in the Judicial Committee be required to sign the thirty-nine Articles before they are qualified to declare that what a certain gentleman has done or said be consistent or inconsistent with these Articles? Shall the judge in a civil question make a declaration of faith regarding the law before he is enabled to interpret that law. Why, the thing is perfectly absurd.

* * * * *

"Upon the whole, this matter has been opposed on a false ground. The whole speaking against me has been on the supposition that I had intended and designed, or that the motion tended, to undermine the Confession of Faith. I say that is a most unjust insinuation, and I did not expect anybody in the General Assembly to argue in such a manner. The motion itself is for something of a totally different description. It is asking one General Assembly to reconsider a thing done by another General Assembly. Brethren, is that unreasonable? Is it absurd? Have you not the same rights and privileges which any former General Assembly had? Who has denuded you of the liberty which they enjoyed? Who has taken from you the exercise of the privileges which they possessed, and showed that they possessed?"

Only a small minority, as we have seen, voted with Dr. Lee; but it included some of the best names in the Assembly, among others, as before, Dr. M'Leod's and Principal Tulloch's.

These questions, of course, occupied most of Dr. Lee's attention. The Assembly discussed some others; but of lesser moment. The Patronage problem came no nearer to its solution; but the Act of 1799 affecting "ministerial communion" was repealed; and the admission to the National pulpit of men who were not licentiates of the Church was thereby permitted. There was a division on this question, in which Dr. Lee was defeated.

Dr. Lee again pleaded the cause of the poorer brethren, and proposed a plan by which inadequate livings might be supplemented, through the levying of seat rents. The Assembly did not commit itself to his scheme, which seemed to involve some legal difficulties, but the proposal elicited a good deal of discussion. It was felt by many that to insist on seat rents would be inconsistent with the theory, as it certainly would be opposed to the practice, of the Established Church, whose special privilege has always been to administer the ordinances of religion, "without money and without price."* Others, again, thought that to invest kirk-sessions with the power to allocate and let seats—a power belonging at present, if to any party, to the heritors—would tend materially to augment small livings, and to strengthen the Church. Dr. Lee felt, deeply, the coldness and indifference with which his efforts on their behalf were received by his brethren throughout the Church generally. But there were some exceptions to this, and he was encouraged to persevere in his scheme by the concurrence of many of the more sagacious of the country clergy. One excellent and esteemed minister writes to him on the 26th of May :—

* In the Church of Scotland there are no fees for any religious service, and in the parish churches no seat rents.

"I have read, in this morning's *Scotsman*, a report of your speech in the General Assembly on the livings of the clergy, and I think that we country brethren are under deep obligations to you for the vigorous manner in which, on this and on a previous occasion, you have advocated our cause.

"I believe that—as a supplement to stipends—seat rents might be rendered available, if not in all, in a very large number of parishes. This is particularly the case in burgh towns, where the stipend is often small and the population great, with a very considerable demand for sittings—such a demand, indeed, as cannot always be satisfied. In this parish, where we have a communion roll of 1530 names, it is obvious that there is a large constituency who, I am sure, would be glad to avail themselves of the *right* which would be theirs under a legal system of seat-letting: and that all the more readily, because the rents would go to the support of their ministers, instead of, as at present, into the pockets of the heritors. It is positively annoying, and a great obstacle in the way of the Established Church, to observe large spaces in the parish Church totally unoccupied, because heritors won't let them, or the people don't know that they will.

"Irrespective altogether of the pecuniary advantage accruing to ministers by the letting of the seats,—and that is a matter worthy of the fullest consideration,—I believe that nothing would tend more to strengthen the Church, than for kirk-sessions to have a *legal right* to allocate the sittings according to their discretion. An Act of Parliament to that effect would be one of the most practically useful of measures.

"But there is another idea connected with the subject of ministers' stipends, which I have not heard suggested, but which I think is worthy of consideration. The whole parochial clergy of Scotland, who are paid out of the teinds, are now suffering exceedingly from being paid in accordance with the Fiars' prices of grain. My stipend, for instance, this year, is only 259*l.*; whereas, my predecessor, more than thirty years ago, pleaded before the court that, on an average of seven years his stipend was 280*l.*; and he received, I suppose, in consequence, an augmentation! In addition to that, I myself received an augmentation: and, yet, grain having fallen so fearfully in price, I am now—and my colleague is no better off—in the predicament I

have just specified! Is not this a hardship which should be rectified by Act of Parliament?

"Now, the suggestion which I allude to is this.—Why not fix a *minimum* for the value of a chalder of grain, so far as ministers' stipends are concerned? Let the Legislature give us the option of raising our stipends either in accordance with the Fiars' prices, as at present, or in conformity with that *minimum*. Thus, if the Legislature were pleased to declare that the minimum of the stipend's chalder of oats was from henceforth to be reckoned at 15*l*., and the stipend consisted of twenty chalders, the minister would be sure of 300*l*. a year. Surely, this would be a fairer and more fitting state of things than to be liable to a fluctuation in one's income of no less than 120*l*. or 150*l*. a year. This would be a wonderful relief to the clergy, and I do not believe it would meet with opposition from the landed gentry of Scotland. Of course it is vain to expect additional endowments out of the ordinary resources of the nation; but this is a modification to which I do think Parliament might readily assent.

"I admire your remarks on professional incomes. It is grievous to think that the clerical profession is the only one in this country, which is standing still, or rather retrograding. I could mention several illustrations in addition to yours. In this town there are five or six writers making their 800*l*. or 1000*l*. a year; two or three more, with the aid of offices, no less than 1200*l*. a year. Thirty or forty years ago such things could not be said. The late sheriff-substitute told me repeatedly that when he came, in 1801, his official income was only 80*l*. a year and some fees; and he was then the sheriff of the whole county. Now, there are two sheriffs-substitute, each having 700*l*. a year, and they are making strong representations for an augmentation. All official salaries that I hear of in this quarter are double or treble what they were thirty or forty years ago. Ministers only are standing still—pining in dignified starvation. How can we keep abreast of that society in which we ought to mingle in the consciousness of perfect equality, if such things are to continue?"

"I do not," wrote another, "personally feel the hardships of my brethren. I came into the Church well off; though, to

bring up my flock of boys and girls, I have had to part with a large portion of my property. My state well illustrates your position. When I came here the living was about 200*l.* money, and over forty bolls of grain. Now, in 1826, there were three farms on one property in the parish, and two farms in another, the rent of which was all but the same as my stipend. The three now rent over 700*l.*, the two about 800*l.* per annum. It is in some such proportion as this that the lairds here have risen, and we fallen. I do feel when I hear worthy men with a large family telling me that they have partly given up, and, in order to be honest, must almost wholly abandon, butcher's meat in their house."

The decision of the Assembly on Dr. Pirie's motion did not induce Dr. Lee to make any change in his order of service. On the 30th May, a meeting of his congregation was held, at which resolutions were passed expressing confidence in him, and thorough sympathy with his reforms. Fortified thus, he went on as before—using his book of prayers. He did not recognise in the Act—which came to be popularly known as Dr. Pirie's Act—any valid exposition of existing law. Such valid exposition is all that a "Declaratory" Act can offer. If, on the other hand, Dr. Pirie's Act was new law, it had no force until, in terms of the "Barrier Act," ratified by a majority of the Presbyteries. It appeared to Dr. Lee a mere unconstitutional expression of arbitrary power, inasmuch as it was based on no existing law, and yet in virtue of a professed legal basis, made radical changes in the constitution of the Church. It robbed Kirk Sessions of powers they had always enjoyed, and conferred them on Presbyteries, which had never exercised them. It also subverted the legal form of process in the Church Courts, inasmuch as it made (for the first time) a sentence of a Presbytery "absolute

and obligatory," until reversed by the superior courts; whereas, according to immemorial usage and law, the sentences of inferior courts were of no force or validity at all if a dissent or appeal were taken against them to a superior court. They were a dead letter, until a sentence of the Court of Review, sustaining and approving them, gave them legal force and validity.

"Thus," said Dr. Lee, "men filled with dislike and dread of innovation rush into innovations, immeasurably more serious than any of those which have excited their apprehensions; and, singularly enough, all these departures from law and custom are justified by the pretence that they are for 'asserting the law and constitution of the Church,' which they violate, and 'for restoring peace,' which is not disturbed in any way, and cannot be pretended to be disturbed, except by themselves. I feel some little surprise at this outburst of blind zeal, but far more regret than surprise; and that chiefly on account of the dissatisfaction, not to say the indignation, which it must excite among the whole body of the laity, those of them, at least, who care anything for the Church, and are capable of understanding and valuing their own privileges; they cannot but feel that they are treated as if they were children or fools, who cannot settle for themselves whether it be proper for them to kneel at their prayers in church, or to use an organ; to decide when, or how often, the Lord's Supper should be celebrated; or to change the hour of public worship, or to do the most trivial matter connected with public worship, without submitting their desires and thoughts to the Presbytery, to be by them considered, judged, and determined. To treat the laity in this manner would at any time have been foolish, but in the present times it appears so reckless a proceeding as to be hardly credible, and certainly it is not according to the traditions of the Church of Scotland, the most popular and democratic Church in the world, as well in its history as its constitution. While I anticipate a great outburst of dissatisfaction on the part of the laity, and particularly of those among them who feel the greatest concern for the Church, I do not think there is much cause for alarm, and very little

for discouragement. We must not feel surprise if men stick to their prejudices; and no one can act wisely who is actuated by fear. Whenever 'the Church is in danger,' the clergy are accustomed, in all countries, to lose their senses. They have done so a little in the present case, but I feel very sanguine in the hope that they will soon find them again. Most of those who voted with the majority did not see, and could not have seen, the true meaning and effect of what they did, else they never could have done it; and though we feel indignation at what they have done, as an insult to the laity, and an injury to the Church, yet we know well they meant it not. I cannot for one moment permit myself to believe that this decision can survive a single year. Many, both of the ministers and elders, will repent of their conduct as soon as they comprehend its nature and witness its results, particularly when they perceive its unconstitutional character, and its unpopularity; and they will hasten to make amends for the mischief they have done. It would be indeed a sad omen for the Church of Scotland if such a 'Declaration and Enactment' were to survive another General Assembly. The laity of the Church must assert their own standing, and their rights, which are deeply compromised by this finding. Let them give the clergy to understand that they will surrender none of the privileges, which they now possess, into the hands of those who have no right to claim, or any peculiar ability to use those privileges. Lord Aberdeen's Act has transferred the right and power to judge of the people's likings and dislikings from the parishioners themselves, who alone can judge of them, to the members of Presbytery, who cannot be qualified, and should not be called upon, so to judge. This decision does, in regard to public worship, what the Aberdeen Act does in the matter of settling ministers. Both constitute the Presbyteries judges of things of which they have neither right nor capacity to be judges, and they denude others who possess a far better qualification, and a much clearer right.

"I believe the decision cannot be carried into effect. If it be attempted, the consequences may be serious. The Presbyteries will surely pause before they venture to put in force a decision which so violates the constitution and the laws of the Church, as this manifestly does, which interferes so injuriously

with the functions of Kirk Sessions, and is so disrespectful to the congregations of the Church; and all this at the very moment when the friends of the clergy are proposing an appeal to the people to increase the emoluments of the clergy, by introducing, for their benefit, a system of seat rents, or some other effectual method. *This* surely was not the time to give to the laity *a slap on the face.* Nor will they endure it, or I am much mistaken as to their temper and character. I hope, also, that no minister, or Kirk Session, or congregation, will so humble themselves as to apply to the Presbytery in the manner prescribed by this decision. By so doing they would surrender their own undoubted privileges, and would recognise those powers as belonging to Presbyteries, which these certainly never exercised, and which, I believe, they never possessed, at least till last Wednesday afternoon.

"The decision regarding 'Declarations and Subscriptions required of Lay Elders,' is also deplorable, though not unexpected. The conduct of the majority was shameful. Their chief argument was an insinuation, or even an open charge, against the moral character of the supporters of the motion and their supposed ulterior designs. Such speaking on such a question it was humbling to listen to, and the ignorance of facts, as well as of law, betrayed by some of the leaders of the majority, was utterly amazing.

"Most wonderful and lamentable of all, it was to find the majority of the lay elders in both cases, and especially where the interests of their own order were so immediately concerned, voting and speaking against those interests, encouraging the General Assembly to continue those restrictions which prevent many of the wisest and best of the laity from assuming the office of elders, and which, we may now affirm with confidence, have no legal authority, and have as little support from the law of the land, as they have in reason or expediency. There can be no doubt that this decision is, for the present, a heavy blow and sore discouragement to the Church of Scotland. Its enemies understand well that it tends to check our rising prosperity; they do not conceal their joy; they applaud what has been done: it is only our true and enlightened friends that hang down their heads. Woe to him who makes his enemies to rejoice, and his friends to weep! But let us hope that the

regret of the one and the exultation of the other will be of short duration, and that future proceedings, in the spirit of those which have so honourably distinguished the General Assemblies of late years, will soon wipe out the memory of the error and misfortune of the reactionary Assembly of 1865."

CHAPTER V.

SUMMER OF 1865.—DR. M'LEOD AND THE "SABBATH QUESTION."—DEGREE OF B.D.—DR. LEE AS A PROFESSOR OF BIBLICAL CRITICISM.

> "'Tis not the grapes of Canaan that repay,
> But the high faith that failed not by the way."
> JAMES RUSSELL LOWELL.

As soon as the Assembly was over, Dr. Lee turned with that buoyant power of self-recovery, which ever stood him in good stead, to the full activity of work. Undaunted by the reactionary spirit of the recent congress, he began to write the Second Part of his "Reform of the Church"—Reform in Government. He seems to have gone on diligently with this till after the quarterly communion, which was kept in his church on the second Sunday of July. Soon after that he went down to Tweedmouth, to visit his brother, who still lived there. "A *kettle* at Horncliffe Mill," he records on one day; "Sailing with brother George, Mr. Procter, and Rodgers," on another. Back to Edinburgh to officiate as Dean of the Chapel Royal, at the Peers' election, on 28th July; then, on 2nd August, "with the Bennetts, to Arrochar," where he stayed three weeks, preaching every Sunday; as usual taking whatever work his hand found to do. From Arrochar he came to Rosneath and Cove; then back to Ardlui, where were his dear friends the Bruces; after that to visit old friends in his former

parish (Campsie) at Ballencleroch. "He was evidently much saddened and touched," says one of these, "by the sight of his old home; and went out early and alone to wander about the manse, &c. I think his public struggles were telling on him, and the elasticity departing from his spirit, in some degree. I believe I have repeated to you what he said to one of his old parishioners on his inquiring for his family, 'All whom I took with me from here are now in heaven.'" By the middle of September he had returned to Edinburgh for the season, and began to prepare for his winter's work in church and college.

His sermons and his correspondence always reflect, with quick exactness, the successive interests occupying the public mind. Towards the close of 1865 much discussion was roused in Scotland by Dr. Norman M'Leod's speech on the "Sabbath Question," in the Presbytery of Glasgow. Dr. M'Leod pronounced in favour of the non-Judaistic observance of the Lord's Day; and speaking with more force than prudence, expressed opinions as to the obligation of the Mosaic law, which provoked violent criticism, and led to his being "dealt with" by his Presbytery. Dr. Lee, who had long held and taught similar opinions, took the opportunity, which this excitement offered, of both writing and preaching on the subject of the Sabbath and the Decalogue. He preached on 13th October the first of a series of discourses on the Decalogue, which he carried on for four months, stopping at the end of the Fourth Commandment. Pointing out that, as the Decalogue does not contain *all* moral requirements, so it contains elements which are not moral, he maintains that the real character of it is a summary of the fundamental principles of Judaism, as the true monotheistic

faith. To Christianity it is related as a foundation merely, the work of Christ having built up a new and more perfect law; so that, as the apostle puts it, though delivered from the fetter of Judaism, the Christian is "not without law to God, being under law to Christ."

One of the most interesting of the sermons is on Imputation, from the text in the Second Commandment, "Visiting the iniquities of the fathers upon the children," in which he exhibits the absorption of the individual in the corporation in primitive times, as the true key to the doctrine of imputation as deduced from the Old Testament.

In dealing with the Third Commandment, he goes at great length into the question of oaths, coming at last to that of subscription to Articles of Belief. "These modern confessions," he says, after referring to the ancient and Catholic creeds, "were most of them not intended to be used as tests either for laity or clergy, but for quite a different purpose, viz., to declare for the information of others, especially opponents, what the doctrines were which the Churches issuing them really held. Thus the Confession of Augsburg, still the symbol of the Lutheran Churches, was composed by Melancthon for the information of the Diet of the Empire; and so far from imagining or desiring that this Confession should be employed as a symbol of stagnation, or an instrument of either preventing the progress of opinion, or implying that the Lutheran Church must always in future continue to think and believe as it then did, Melancthon is said to have proposed that at short periods—every seven years—there should be holden a convention of theologians to revise the Confession, so as to bring it into conformity with the advancing faith or *opinion* of the Church."

Nothing, he goes on to argue, should be required in subscription as absolutely indispensable, except assent to articles of *faith*, which he defines to be those points, the belief of which is necessary to salvation. "So far as I am able to understand, from my own (I hope) serious and impartial study, there are but two doctrines essential, fundamental, indispensable to be known, believed, and professed by every Christian man, in order to his being, and his being accounted, a Christian. The first is, the doctrine of one God, even the Father; the second, of one Lord, Jesus Christ. In other words, the Christian creed has two articles—the unity of God, and the Messiahship of Jesus." "It is vain to invent and impose such tests and oaths" [as the Confession of Faith], "for they are useless, and worse than useless; and they are ineffectual. Useless, for men's minds grow in spite of themselves, or without their wishing it:—it is the law of Nature—at least, of all natures that are of any value or worth. All the Reformers were Romish priests: Luther was also a monk, and his wife a nun, and the Papists are never tired of reproaching both of them for breaking their vows. I am far from defending the breach of vows, or of any other oath. But in my opinion there was less sin in violating such vows than in making them. The vows and oaths of Luther, Cranmer, Calvin, Zuingli, Knox, did not prevent or even retard the Reformation. . . . What, then, did the oaths do? They occasioned a widespread perjury—that was all."

In treating of the Fourth Commandment, he does not find it in any satisfactory sense proved that the Sabbath was an institution coeval with the human race, or that the command to observe it is in its nature a moral law.

He regards the Sabbath as the weekly festival of the Creator, and commemoration of the creation by the one God; and therefore celebrated as a testimony to the great monotheistic doctrine, and hedged round with special sanctity. "The benevolent intention of a weekly rest was an afterthought (to use the language of men), or, to employ the theological terminology, it was a subsequent revelation." "The *piety* was first, the *mercy* was after; and so always. For all history, sacred and other, shows that the human creature reached its morality through piety, and not its piety through morality. This explains why we have one reason for Sabbath-keeping in Exodus, and another in Deuteronomy. This is a later book, and hence the moral reason has come now into view, and even predominates."

The command enforcing Sabbath-keeping he does not recognise as binding upon Christians, or as sanctioned either by our Lord or the Apostles. "I do not understand," he says, "how the Sabbatarian theory can be made to agree with the great New Testament doctrine that all peculiar holiness in places, times, and offices is done away in Christ, and that shadows are abolished by this great and eternal substance having come. We have now, under the gospel, no holy offices, such as priesthood, for all the children of God are priests through the holy oil of the spirit with which they, without distinction, are anointed. We have no holy places, because all places are holy; so that no longer at Jerusalem, nor on Gerizim only, but in every place, the true worshippers are permitted to worship the Father. But if the Sabbatarian view be sound, it is not so with *times*. We have still holy days—one day of each week holy, as the other

days are not,—contrary, as I understand, to the genius of the Christian religion." "Our Saviour never preached a Sabbath, on the same principle that He never preached a Temple, a Holy Land, or a Priesthood." The observance of the Sabbath he holds to be based on the moral and physical wants of man, but on no direct divine authority. "When it can be shown in Christian countries that the observance of the Lord's Day contributes to the general good of the community, both in soul and body, the obligation of that observance has been sufficiently vindicated." "*This* is particularly to be kept in view, that the Sabbath or Lord's Day is merely a secondary matter at the best. Itself is not, and the keeping of it is not, an *end*, but only a means to ends of far greater moment, which ends are the promotion of piety and goodness, and kindness and mercy,—to *refresh* us for the doing of our duties to God and man."

Marking the unreserved candour of Dr. Lee's examination of the whole question of the Sabbath (in four long sermons), one is surprised that the searchers for heterodoxy, who were eager for Dr. M'Leod's arraignment, should not have denounced him also. "The Presbyteries up and down Scotland," he writes to a friend, after the date of these discourses, "are attempting, or a few bigoted men in them are attempting, with but poor success, to get up an agitation *àpropos* of Dr. M'Leod's escapade." There was no serious result. Dr. Lee, however, was inclined to regret the—as he thought—somewhat injudicious language which Dr. M'Leod had used in speaking of the obligations of the Fourth Commandment. It had needlessly alarmed the mind of the religious world, and given an unnecessary shock to the pious feelings

of many good people, much of whose morality was, more or less, built up on the false foundation of a Judaistic, or rather Puritanical, interpretation of the law of the Sabbath.

He ever preferred gradual enlightenment to violent revolution of religious opinion. This gradual enlightenment appeared to be less possible when the public mind became infected with the suspicion and fear, which any sudden and unguarded promulgation of unwonted theories was sure to engender. During the winter of 1865-6 this suspicion and fear were rife. A dire chimera, lion-headed, serpent-tailed, infested the common imagination. Under its diverse, yet kindred aspects, men discovered Rationalism trampling on the Westminster Confession; Ritualism bringing back the abominations of Popery to the purely Reformed Kirk; and a reckless Antinomianism abrogating the holy Sabbath.

The Sabbatarian excitement was yet at its height, when, as we shall shortly see, new elements were thrown into the cauldron of ecclesiastical strife, in the shape of a revived prosecution of Dr. Lee, and a fresh agitation about subscription to the Confession of Faith. We shall have to deal with these matters by-and-by.

Dr. Lee opened his class as usual, early in November. The point he discussed in his inaugural lecture was the Degree of B.D., which had for some time been made the subject of keen dispute. The University Commissioners of 1830 had recommended that this degree should be conferred, and conferred on those students only who should have regularly attended the Theological Course in the University, and subscribed the Confession of Faith and Formula of the Church of Scotland. On this

recommendation, the degree was instituted in 1836, and on these terms it was conferred on several candidates up to 1843. After 1843 it fell into disuse, until a new life began to pulse through the Universities after their reform. In 1862 a much wider scheme for the degree of B.D. than the original one of 1836, was proposed by the Theological Faculty of Edinburgh. It was recommended that all students, of whatsoever Church, who had completed their Theological curriculum, should be admitted to examination for the Degree, on producing evidence that they possessed the Degree of Master of Arts; with this sole restriction, that if members of the Church of Scotland, they must have studied Theology during one Session at least in the University of Edinburgh; and if members of other Churches, they must have attended for one Session two of the Theological Classes of that University.

This scheme having met with the approbation of the Senatus, was submitted to the University Commission. At the same time, there was laid before the Commission a proposal by the University of Glasgow, to confer the Degree of B.D. in the case of their own Graduates in Arts, without requiring attendance at their Theological Classes; and to confine the exaction of such attendance to the Graduates in Arts of other Scottish Universities.

The University Commissioners having had these two schemes submitted to them, expressed themselves in the following terms :—

"We cannot but see objections to the proposal made by the University of Glasgow, to admit to its Degrees persons who have received no part of their Theological education in the University. The Universities of Scot-

land, as teaching bodies, have not hitherto been in use to confer Degrees in Faculties in which they afford instruction, except on persons who have studied within their walls as Students in such Faculties. And this usage, depending as it does on an important feature in their constitution, ought not to be lightly infringed upon."

Fortified by this opinion of the University Commissioners, the Theological Faculty reproduced their scheme, which was then formally sanctioned and adopted by the Senatus.* The Dissenters, however, lost no time in raising an outcry against the provision requiring from candidates for the Degree attendance on the theological classes of the University. Dr. Candlish at their head, and in his character of Principal of the Free College in Edinburgh, circulated a protest against the revived Degree, on the ground that it was, among other things, "sectarian." Dr. Candlish, in opening his college for the winter's session, also delivered an address to his students, in which he advised any who might hanker after the degree to "forego the honour—if while thus sectarianized it is an honour—of being capped even by so illustrious a Principal as Brewster, rather than give in to a requirement which is fitted to degrade you as students as much as it is fitted to compromise our Church."† Dr. Lee, replying to the Dissenting protest and Dr. Candlish's strictures, said in the course of his lecture, and adverting to the original provisions of 1836 :—

"Not only was the honour intended to be restricted to young men who had prosecuted their studies in Theology wholly in the University of Edinburgh, but it was yet further restricted.

* Statement of Theological Faculty, 1864.
† *Scotsman*, 2nd November, 1865.

None apparently were capable of receiving the honour but licentiates or ordained ministers of the Established Church. Two of the three members of the Theological Faculty by which this recommendation was made, were Dr. Chalmers and Dr. Welsh. And the successors of these eminent men consider themselves warranted in censuring us, and accusing us of sectarianism and illiberality, because we are not prepared to admit to examination for the degree of B.D. persons who never attended any theological class, nor ever were theological students at all, in this or any other university. It does not seem to have occurred at that time to any one—either the Professors or the Commission under whose suggestion they acted, nor indeed to any other party or individual whatever—that any others than theological students in this university could be entitled to claim examination for a theological degree, any more than a person who had never attended the curriculum in arts, in law, or in medicine, nor even any of the classes in those faculties, could be entitled to present himself for examination for a degree in arts, law, or medicine. Throughout the address which I am criticising it seems to be assumed that the Free Church and other dissenting seminaries—for most of them are not colleges even in name—stand in the same position as the universities, and that students in them are entitled to the same privileges as students in these national institutions; whereas, however respectable or useful they may be, they are to all intents and purposes private institutions, unknown to the law of the country, and enjoying no legal recognition or authority whatever. It may appear to their friends and supporters desirable that this were otherwise; but we must look to the law as it is, not as it may be imagined to be, and administer institutions according to their actual, not their possible or imagined character. Yet, it will perhaps hardly be believed, that this Senatus Academicus has actually granted greater facilities to Dissenting students for obtaining the degree of B.D. than to those students of the Church of Scotland who may have studied theology at any of the other Scottish Universities. For, while these are required to attend one full session at our Divinity Hall—*i.e.*, four classes—the Dissenting student is permitted to present himself for examination after attending only two classes —*i.e.*, one half of a full session. There may perhaps be some

reason for complaint of partiality here, but I submit not on the part of those who now complain—or, I should rather say, in whose names complaints are made. The Dissenting students are advised to forego the honour of this degree because, according to our regulations, it is sectarianised. This is the grand offence. I will say a few words to show how unfounded and unreasonable it is. In some points of view, all existing Churches may be regarded as sects; but the Church of Scotland, like the Church of England, is a sect recognised, established, and maintained by the law of the land; it has certain privileges and distinctions bestowed upon it as such; and it is as much an integral part of the constitution of these kingdoms as the House of Lords, or the House of Commons, or the Monarchy itself. Its doctrine may be sectarian; but it is the publicly recognised and established doctrine of the nation, which acknowledges no other religious doctrine—though it wisely tolerates all; and the sectarianism, if we may so call it, which the State has established and upholds in the Church, it has established and upholds in the Universities; and in both cases this sectarianism enjoys whatever advantages the sanction and authority of the State confer. While this is so, and while the religious teaching of our Theological Faculty is required by law to be not inconsistent with the Confession of Faith, which also is the standard of doctrine for the Church, yet it is a gross fallacy to speak as if our theological instruction were in the same sense sectarian as that of the theological seminaries of Dissenters. These seminaries have been erected, and are supported, by the different sects themselves, for the very purpose and under the express condition of inculcating the peculiarities of those sects. The clergy of those sects appoint and superintend the professors, and they punish with dismissal any of these who are conceived to teach not according to the opinions of the sect. The case is quite otherwise with us. Though ministers of the Church of Scotland, which avails itself of our university instructions, we are not appointed or superintended, nor can we be punished by deprivation of office or otherwise, by the Courts of the Established Church. These Courts have jurisdiction over us as ministers—if we happen to be ministers—of the National Church; but they have no jurisdiction over us or our teaching or conduct, as professors. We are under the same jurisdiction as the professors

in the other faculties. The theological professors in the Scotch Universities now stand in exactly the same relation to the Church Courts in which all Professors, both lay and clerical, stood previous to the passing of the Act repealing the test in the case of lay professors. That Act introduced an important alteration in the terms upon which lay professors were to be admitted to their chairs; but professors in the Theological Faculties it left exactly as they and all other professors were before. Now, it was decided by the Courts, previous to the passing of the Act in question, that the Church Courts—though bound to receive the subscription of a professor elect when offered—had no authority to call him before them to exact that subscription; and the general tenor of the opinions pronounced was to deny all jurisdiction on the part of the Church Courts over the Universities, or their members and professors, as such. So that all the freedom from clerical control which appertained to all members of the Senatus, before the passing of that Act, belongs still to the members of the Theological Faculties; and, in point of fact, if there be any such thing as unsectarian theological instruction to be found in this country, it must be looked for in our Divinity Faculties, the members of which are secured in a freedom which no other theological teacher in this country can pretend to. Indeed, it is a reproach which has been repeatedly thrown upon us, or some of us, that we had such liberty of teaching, and, also, that we used it. Without this, however, theological learning is little better than so much mental lumber, and theological inquiry and teaching only a very solemn and laborious farce. I repeat that the only theological teachers in this land who are not dominated by clerical influence, and who are secured against prejudice, meddling, and control on the part of sects and their clerical and lay leaders and supporters, are the Theological Professors in the Universities; and those, who now betray so trembling an anxiety lest their students should enter our classes, are moved, not by any fear that the minds of the ingenuous youths should be sectarianised, but rather by the apprehension that they may be unsectarianised, by coming in contact with influences tending to counteract their own sectarianisms. All this is natural, and even inevitable, in those who have erected schools for the

express and avowed purpose of indoctrinating young men with those peculiar ideas of Christian doctrine or Church polity which have created the sects themselves. But instead of expressing their objections as they do, they should say in plain English—We cannot permit our students to attend even two of your theological classes for a single session, because you will not, and cannot be expected, to sectarianise them in our sense, because you cannot labour to fortify them in the notion that our sectarian peculiarities of belief or polity are true, momentous, and vital. I am glad to hear it said—'We thoroughly approved of the revival of a theological degree—to be obtained upon examination and by merit—though we were sorry, as well as surprised, in this enlightened age, to find so dead a fly in the ointment.' No doubt this is a very enlightened age, and we are very wise—at least we think we are. Nevertheless, we cannot, by our enlightenment, transmute private academies into public colleges, or bestow upon persons who have studied in the former the privileges which appertain by law to those who have pursued their academic studies in the national universities. While the two remain in their respective positions, there must remain some difference in the position and the privileges of those who are students and professors in the two respectively. If men feel constrained by the dictates of conscience to dissent, and so cut themselves off from public institutions, they should not feel indignation or surprise if they find themselves deprived of some of the benefits which result from connection with those institutions; neither should they expect that these are to be overturned or revolutionised in order that they, who have enjoyed the glory of making sacrifices, should also have the satisfaction of getting back what they had voluntarily and deliberately cast from them. As to these degrees, the University of Edinburgh has, I believe, all the privileges which belong to the Universities of Oxford, Cambridge, or Dublin. I presume that the dissenting academies in England would be greatly surprised, and no less gratified, if these universities were to offer to bestow the degree of B.D. on the students at Homerton or S. John's Wood on the same terms as those contained in the resolution of our Senatus on the subject; and I am sure of this at least, that not only all the members of the English Universities, but the whole English

people, would be amazed if those academies were to throw back such an offer in the face of those who made it—made it in a spirit of liberality unexampled and unheard of before—unless Oxford and Cambridge would recognise Homerton and S. John's Wood as having the same position, and their students as entitled to the same privileges as the students in any of the colleges which form parts of the Universities. There is another objection which I must notice before I conclude. Dr. Candlish says—'There is really no valid, scarcely any plausible argument in favour of the requirement. The analogy of the other Faculties does not support it, but rather tells the other way. These Faculties are not denominational; attendance at their classes is accepted as counting professionally by every licensing body in the kingdom. But it is preposterous to say that the Theological Faculty, which is simply the Divinity Hall of the Established Church, stands in the same relation to the theological profession generally in which the Medical Faculty stands to the profession of medicine. There is contrast, not resemblance, here.' A moment's reflection will suffice to show that this, instead of being an argument in support of the views advocated in Dr. Candlish's address, is an argument directly and powerfully in opposition to them. If our theological degree of B.D. were accepted by all Churches as qualifying the holder to enter the ministry, or if it in any way was necessary to his professional progress and success, there might be some reason in the demand now advanced. We should then stand in a position analogous to that of the Medical Faculty. But even here we should have their example to support us, for they require one year's attendance at this University before granting a degree. But our answer and justification are contained in the statements of the Rev. Doctor himself. Our degree is simply an academical distinction, which does not further or affect the holder in any way as a candidate for the ministry in any Church—Established or Dissenting—and the obtaining or seeking which does not in the least touch his conscience; for, as the student enters our classes, so he passes through them, without being asked to profess any opinion or faith regarding any subject. And as the examination for the degree is an inquiry not respecting his creed, but only respecting his knowledge, so the degree, when obtained, certifies nothing as to his belief,

but only that he possesses a certain acquaintance with the subjects taught in our classes. I repeat that our degree of B.D. is in no sense and to no extent a certificate of the faith or the religious opinions of the holder, but simply of his having made a certain proficiency in theological studies. So that any student is entitled to take the degree who has complied with the academical conditions, if he can satisfy the examiners that he possesses the requisite amount of knowledge—in short, by granting him this degree we only certify what he knows, not what he believes; this important point we leave to be inquired into by the Church to which he belongs, and in which he seeks to be a minister. Our regulations are framed to take away every appearance of sectarianism, or of interference with the consciences of students on the one hand, and with the rights and powers of Churches on the other. Nor can I allow to pass without remark the assertion that our 'Theological Faculty is simply the Divinity Hall of the Established Church.' It is the Divinity Hall of the country—of the kingdom of Scotland—instituted, upheld, sanctioned as such by the law of the land to teach theology in its several branches, not only to students of the Established Church, but to all theological students whomsoever, and indeed to all persons whomsoever that may choose to enter our classes; and in point of fact, there are always persons attending our classes who are not students connected with the Church of Scotland—generally some who are not studying with any view to the clerical profession at all."

The demand of the Dissenters, opposed, as it was, to the whole theory of our University system, and requiring a recognition of sectarianism which no University could make, was not granted.

It may not be inappropriate at this point to advert, at some length, to Dr. Lee's character and worth as a theological professor; approaching closely, as we now are, to the time when he had to withdraw from that office to which he was so attached, and whose duties he discharged so ably as to attract to his class, not only students pre-

paring for the Established ministry, but an annual quota also from the Dissenting seminaries.

I am glad to be able to insert here a contribution to these pages, which gives an admirable delineation of Dr. Lee as a professor, in the following letter from the Rev. Dr. Wallace, his successor in his Church, though not in his Chair :—

"EDINBURGH, *2nd March*, 1869.

"MY DEAR SIR,

"I willingly comply with your wish that I should state my views of the work done by our lamented friend, Dr. Lee, as Professor of Biblical Criticism. My only regret is that my numerous engagements compel me to execute hurriedly, and, therefore, unsatisfactorily, a task which, had my time allowed, it would have been a very great gratification to me to have put forth my utmost endeavours to perform well. I should have liked, had it been possible for me, to go minutely through his lectures, and, by appropriate selections, to illustrate and justify whatever estimate of his performances in Biblical science such an examination might have led me to form. As it is, I do not think it necessary to borrow from your custody documents of which I could make but a sparing use. I prefer simply giving you my ideas on the matter, as founded upon my recollections of him, as one of his students thirteen years ago, and as one of his colleagues in the ministry for several years in this city, together with the impressions made upon my mind by a perusal of part of his papers while conducting the business of his class in the University last year.

"An original discoverer or investigator in any very high degree, Dr. Lee was not, and did not profess to be. He would have disclaimed the *rôle* of Griesbach or Tischendorf, of De Wette or Delitzsch. It was not possible that it should be otherwise. The field of criticism has been so minutely examined by hundreds of anxious and industrious explorers, that to strike out a new path, or disclose a fountain of fresh results, demands exclusive devotedness to the study. Such devotedness Dr. Lee could not give. The duties of his pastoral charge, and his position as a leader in ecclesiastical

affairs, absorbed much of the time and attention essential to thorough scientific research. Accordingly, his position was chiefly that of a gatherer, critic, and disseminator of the winnings of other and special inquirers. He stood midway between the scientific and the popular spheres, knowing how to take from the one, and how to transfer to the other. In this position he was able to do service not merely for the popular, but also for the scientific intelligence. In constructing the message, which was ultimately to reach the people, on the question of which he had charge, he had to summarise and weigh all the relevant opinions; and in this process his keen and cultivated discrimination led him to pass judgments, to indicate directions of inquiry where further information was wanted and might probably be obtained, and to throw out various hints and suggestions, which could hardly fail to prove fruitful of results in the hands of special investigators. As an illustration of what I mean, I may mention that, in the very last conversation I had with him, he expressed much disappointment that he had never been able to follow out an exhaustive treatment of certain passages in Justin, on which he thought he could throw an entirely new light in their bearing upon the origin of the Gospels; and I am persuaded that a careful sifting of his lectures, and other papers, would yield a considerable amount of valuable materials of the character at which I am now pointing.

"At first sight, this mediating attitude between science and the popular intelligence, although probably that of the majority of Academic teachers, might appear a comparatively subordinate position; yet there are aspects of the matter in which it assumes a primary importance, and implies learning and qualities of thought and character of a peculiar order. This is particularly true of Biblical science, in its present condition and relations to the public mind. Those who are called to be the instructors, in this subject, of those who are in their turn to be the religious instructors of the people have, in existing circumstances, an especially delicate task committed to them. No one, who is in the slightest degree conversant with the matter, needs to be informed that the critical movement which has been growing and ripening with more or less rapidity for a century past, has introduced into the work of theological teaching, and, to a

certain extent, into that of popular preaching also, a difficulty which has not been experienced since the Reformation, and in some respects was not paralleled even at that period of bewilderment and trial. It is no doubt a very serious matter to be driven so far back upon first principles as to have to face the question, Is the Bible authoritative, and if so, how far? Rightly understood, that is simply a tremendous question; but it is the question which modern criticism presses upon us, and that in a manner so formidable as to make a fresh solution imperative, before the religious crisis amidst which we live can pass away, and an era of rest and settlement supervene. But though this state of matters may be familiar to divines and to those educated persons who take an interest in theological questions, it is by no means realised by the large mass of the religious public. They are still very much in that state of quiet unquestioning acquiescence, which is the natural result of the traditional influence of the Reformation standards. It is from the ranks of this religious public, and full of their unsuspecting faith, that the youths for the most part come, who fill our divinity halls with the view of fitting themselves for the pastoral office. How to break to these sanguine and confiding spirits the tidings that the path before them, which they expect to find so smooth and straight, is thorny and labyrinthine,—that instead of being shepherds in some sheltered and happy valley, they are more likely to be made soldiers in a fierce and uncertain battle,—is a work demanding a peculiar combination of qualities, and was perhaps even more emphatically so a quarter of a century ago, when Dr. Lee began his career as a Professor, than it is at the present time. It requires not only thoroughness of information, but the sagacity which knows how to employ it, the tact which can be bold where truth requires unshrinking statement, and reticent where caution is a duty.

"These qualities, it seems to me, Dr. Lee possessed in a very marked degree. He had, first of all, the indispensable foundation of thorough information on his subject. By the time he was appointed to the Chair he had been for twenty years an industrious student. At the University he had acquired a strong bias towards the critical study of the Scriptures, partly no doubt from natural disposition, but very much also from

becoming acquainted with the works of Principal Campbell of Aberdeen, for whom he appears to have conceived a great admiration, and whom he often held up to his students as the model of a clerical scholar. This critical habit, instead of falling off in him as he grew older, seems to have increased. In the busiest years of his earlier ministry he never lost sight of the important, but too frequently neglected, work of finding out what the Bible really means. Such of his pulpit lectures and sermons as I have seen, belonging to this period of his life, were always founded on a careful exegesis of the passages of Scripture which they treated. I cannot imagine him erecting a discourse upon a fanciful, traditional, or conjectural sense of a text. I have not come upon proofs of his systematic application to the Hebrew of the Old Testament, although I believe he was a fair Hebraist; but his knowledge of the Greek New Testament was perfect, and his command of its language, even in conversation or discussion, was to the very last remarkable. As a proof of the value which he set upon a thorough acquaintance with the real meaning of Scripture, both as a necessary professional accomplishment, and as an instrument of popular edification, and of the pains and perseverance with which he pursued it as an object, I may mention, on the authority of his own statement, that before his life as a country clergyman was over, he had more or less critically expounded to his congregation every portion of the Bible that could reasonably be employed for pulpit instruction. His studies for this work were, I believe, of a thoroughly scholarly character. On examining his library when on view after his death, I find from the dates on his books of reference, which were not numerous but select, that many of them were procured in his earlier years, and bore the traces of habitual use. I have heard him describe the measure of self-denial which he practised to procure a very beautiful and high-priced Wettstein, which he saw exposed for sale in a bookshop in Glasgow, in days when his fortune was less ample than it afterwards was, and the satisfaction with which he carried it home and found it in no way disappoint his expectations as a source of exegetical, as well as critical, light. As a result of this intimate acquaintance with the Sacred Volume, and the branches of knowledge auxiliary to its exposition, he was able, with comparative ease, to take up the work

of the Chair of Biblical Criticism. Special reading, of course, was required, more particularly in the department of Introduction, but he knew perfectly what needed to be done, and on whom to draw for the best assistance. As a consequence, his lectures were composed with a rapidity, which would appear to most of our brethren, entirely out of proportion to the amount of research, thought, and plan, by which they are characterized. On comparing the dates of composition, I have found not less than three long lectures, full of information and acute remark, written in a week. I cannot say that this was frequently or habitually done, and I do not suppose it was; but to be done at all by one with so many other matters to attend to as he had, I think proves great readiness of resource, power of application, and activity of mind.

"He had a remarkable swiftness of discernment in recognising the writers who were worth reading on any subject, which he wished to follow out with regard to his own science. He fixed at once upon the representative authors in English, American, and foreign literature, and very speedily brought to the work of instructing his class the combined riches of their separate research systematised, digested, and commented on with such discrimination and originality of reflection, as to make the whole presentation a fund of the most advanced information—a bracing discipline of the critical faculty, and a stimulus to more extended inquiry. The main body of his lectures was composed during the first two or three years of his Professorship, and formed the substance of his instruction from the Chair to the end of his career. He did not, however, repose upon the results of his earlier labours. He kept a watchful eye upon the progress of his science, and was always abreast of the information of the day. No important work of criticism from England, America, or France, escaped him. I am not aware that he knew German sufficiently to read, with ease, theological works in that language. But he knew what was doing in Germany, as well as in Holland, and carefully collected the results of the critical activity of those countries through translations, and through French and other theological magazines. While doing this he was careful to keep up his acquaintance with every other branch of knowledge that bore upon his subject. He was an excellent classic.

I believe he made it a daily practice to read critically a few passages from some Greek poet, philosopher, or historian. His Church History and Systematic Theology he was continually revising from time to time. On calling for him one day during his recovery from the first attack of his disease, I found him busy doing rather awkward battle, with the unparalyzed arm, against several bulky folios. They proved to be Clarke and Waterland's controversy, which he had examined and annotated thirty years before, but in which he wanted to freshen himself up again, as a way of utilising part of his compulsory leisure. The fruits of his study he habitually wove into his class prelections, sometimes in written corrections or additions, but just as frequently in extemporaneous statements, which he made with unrivalled elegance and precision. Latterly, I believe, he felt that he had outgrown the course of class instruction which he had formed in earlier years; and I infer from some remarks he once made to me, that he seriously contemplated retiring from his pastoral charge, and devoting himself to the reconstruction of his lectures, in accordance with modifications of his own opinions on several points, and the changed aspect of the science generally.

"I pass from the materials of his instruction, to say a word on its spirit and aim. My opinion on that point is briefly this,—that he desired to give his students the best possible preparation for dealing with the great controversy which must sooner or later engross the collective attention of Protestant Christendom, the controversy as to the exact nature and degree of authority to be attributed to Scripture. I do not mean to say that he was indifferent to the local usefulness of his students in the Church of Scotland. But he looked further than this, and wished to make them capable of guiding themselves in relation to the tendencies of universal Christianity. In view of the controversy which I have mentioned, and which, I am persuaded, he believed must eventually become general, he sought to furnish his hearers with *thorough* information, in the sense of its being information on all sides of the question. In stating the orthodox view, he did not present it as though there were hardly anything to be said against it, and even that little of very little weight. He intimated distinctly that there was a counter-position which was not to be trifled with. There may

be teachers who deem it best to conceal this state of matters as long as possible. Dr. Lee was of another opinion. He thought that those, from whom the real state of the case was thus kept back, must inevitably discover it for themselves sooner or later; and that indignation at the species of trick which they would then see had been practised upon them would, in all likelihood, lead to some extreme action which might be prejudicial to the interests of truth. In a word, he believed it was wisest to be honest. In this spirit he denounced all attempts to cover up or distort facts, for the purpose of securing the ascendancy of favourite opinions. On such occasion, he was not sparing of sarcasm and indignant expression. Some of his invectives in this strain were, in my opinion, masterpieces of nervous and moving eloquence. You could not listen to him without feeling that he was filled with a noble confidence in the power of truth—with a manly scorn of evasion, concealment, and falsification as means of really promoting any work of God in this world. You could not help catching something of the magnanimous spirit which you were thus led to admire; and I am satisfied that attendance at his class was not only an opportunity of acquiring a certain amount of professional knowledge, but was also a purifying and elevating spiritual discipline, inculcating and imparting a disinterested love of truth, a fearless faith in its power, and a resolution to pursue it earnestly, and at all hazards. I can testify that such was the nature of the impression left upon myself; and I cannot doubt that many more would express themselves to the same effect.

"But while thus describing him as thoroughly bold and emboldening in the spirit of his teaching, I should not wish to leave the impression that he was reckless. He had evidently considered carefully both what a religious teacher owes to the mental welfare and happiness of those whom he instructs, and what are the conditions to be regarded by a leader who shall successfully guide those who follow him. In neither case is extreme, one-sided, unguarded statement suitable. A leader must indeed be somewhat in advance of his followers; but it is possible that he may go so fast and so far before them as to go entirely out of their sight, when he ceases to be a leader altogether, and becomes merely a vagrant and uninfluential unit, gratifying his own wayward tendencies, but of very little public

usefulness. A religious teacher, especially a teacher of young men, who finds it to be his duty to acquaint those under his charge with the existence of opinions at variance with those in which they have been trained, is bound so to present his instruction that, if any change in the views of his hearers is advisable or imperative, it shall not be effected prematurely, without deliberate conclusions from clear and strong reasons. The question as to 'unsettling the minds of young men' is one on which there has been unwise speaking, from two extreme and opposite points of view. By some it is regarded as a mere foolish alarm, by others as something little short of a crime. The truth, as so often happens, appears to lie in the middle. Unless the law of progress in human affairs be a delusion, there must be constantly emerging points of opinion, as to which it is desirable that the minds of men should be not merely 'unsettled,' but settled in the opposite of their original attitude; yet it is by no means a matter of indifference how the unsettlement, or rather the re-settlement, shall be effected. It is possible to unsettle in such a manner as to make the apparent resettlement a merely illusory state of mind, a source of misery to its possessor, and of bewilderment and inconvenience to those connected with him. A real revolution in opinions that have been familiar to the mind from childhood is not to be lightly effected. The roots of these have penetrated to the remotest parts of the soil of belief, and if they are to be dislodged, it can only be through a very thorough process of extraction. Hence it not unfrequently happens that men imagine they have changed their views, when in reality it is their earliest faith that governs them still. They have made an error in self-analysis, and have mistaken the intrusion of a temporary sentiment, for the dispossession of an immemorial conviction. Accordingly, the task of those who have to guide young minds amidst circumstances in which there is the possibility of change of view, is a peculiarly delicate one. Even though the new should have a just claim upon their acceptance, they must not be permitted to possess themselves of it at the expense of a premature abandonment of the old. How to gain this two-fold object seems to me to have been one of the chief questions which Dr. Lee set before him in the management of his class; and to my thinking he was remarkably successful in the

practical answer which he gave to this question. Finding himself called to act his part in a time of transition in opinion, he regarded it as his duty to introduce those under his instruction to a sphere of new thought, with which, unless exhibited to them by him, they might have to make acquaintance in less favourable circumstances. At the same time, he felt bound to guard against the risk of their being hurried by the impetuosity of youth into false positions; and accordingly, while fearless in acknowledging the difficulties in which traditional views were placed by the positions of modern thinkers, he was equally careful to indicate the perplexities in which these latter positions were themselves involved. In some cases he expressed his decision on one side or another. In others, he refrained from deciding, and was content to provide his hearers with materials for forming a fair and deliberate judgment for themselves. By many persons this was characterised as an insidious procedure—a sowing of doubt in the minds of the young, instead of boldly determining them to one conclusion or another. In my view, it was a combination of honesty and wise considerateness; of courage and caution; of faithfulness to the real or possible interests of truth, and care for the happiness and mental welfare of those who were under instruction.

"Of Dr. Lee's actual performances in the class-room, I find it difficult to speak in terms of sufficiently high admiration. As a public teacher of young men, he was of the most finished order. He upheld his dignity without repelling attachment. He stimulated industry, commanded attention, and maintained discipline, without recourse to threat or penalty, by the simple weight of personal worth and force of character. A look or a phrase sufficed to quell any incipient rebellion against the laws of order. His habitual bearing before his students was that of a gentleman with gentlemen. Occasionally, when some exceptionally stupid examinee made some exceptionally stupid exhibition, the temptation to relax into a play of sarcastic, or even slightly farcical humour, seemed too strong for him. It is scarcely in human nature—certainly it was not in a human nature like his, in which a keen sense and exquisite faculty of ridicule held a prominent place—to pass such an opportunity unimproved. Accordingly, on some of these occasions a burst of mirth, unrestrained and universal, except as regarded its un-

fortunate subject and cause, would diversify the gravity of the ordinary proceedings. But wherever true ability or true merit of any kind made itself apparent, it received from the Professor invariable respect and encouragement. Without disparagement to the memory of good and distinguished men who are now no more, I believe I may safely say that in my student days he was the most popular lecturer in the Divinity Faculty. Yet it was not a popularity won by anything savouring of what is called clap-trap. His lectures were always filled with a solid kind of material that might easily have been made very dry, and often is made very dry; but in his hands it seldom or never failed to be interesting. The dreariest details he could render comparatively attractive, by his luminous and often ingeniously systematic presentation of them; while his close and lengthened reasonings were from time to time lighted up by some racy or pathetic allusion, by some gleam of eloquence or episode of exhortation, that made resting-time for the attention, and breathed it for a new pursuit of the quarry of argument. His whole scheme of instruction was admirably calculated, as I believe it was deliberately intended, to produce the greatest possible amount of impression, by conciliating the greatest possible amount of attention. For this purpose, he made continual use of the principle of variety. The one year of his course was chiefly an Old Testament course, the other chiefly a New Testament one. Within these yearly divisions there were sub-divisions of weekly and daily variety. One day was given to archæology from a text-book; another to lecturing and examination; another to familiar Scriptural exposition; another to criticism of exercises by students, either written or spoken extemporaneously within a prescribed time. The subjects of textual criticism and hermeneutics were treated very much in the way of exhibiting general principles by the discussion of apposite specimens and illustrations. By expedients like these, the salient points of a very extensive and crowded field of knowledge were fixed clearly and firmly in the mind, and formed a complete introduction to the science; while the whole handling of the topics treated of was pervaded with such a spirit of devotion to truth, and jealousy for its proper assertion, as to make it not merely a contribution to intellectual enlightenment, but a valuable moral discipline.

"Among many able and accomplished teachers, from whom it has been my good fortune to receive some of the best impressions of my life, I place Dr. Lee second to none. I recall at all times with pleasure and thankfulness the years I spent in his class-room. I feel that I have learnt far more than I can well describe, from his whole tone and presence, as well as his scientific teachings; from his clear and elegant style—his dignified personal bearing—his thorough treatment of subjects—the reverence and propriety of his discussion of sacred themes—his scorn of everything like pretence and cant, and his manifest and earnest endeavour to be real, true, and manly in the performance of the religious teacher's work and in all parts of the Christian life. I cannot doubt that similar, and very probably, much deeper impressions have been made on many more of the hundreds who studied under him, and that the good fruit of what he sowed will become apparent in the Church of Scotland, as the religious controversies of our time ripen towards their issues. Though his voice is now silent, his influence will live in the activity of those whom he imbued with his truth-loving spirit.

"Believe me, very sincerely yours,

"ROBERT WALLACE."

CHAPTER VI.

THE PAISLEY ELDERS AND THE CONFESSION.—MR. STEWART OF LIBERTON AND THE RENEWED PROSECUTION OF DR. LEE.—SPEECHES IN PRESBYTERY.

"Let such new practices as are to be brought into our Church be for a time candidates and probationers on their good behaviour, to see how the temper of the people will fit them, and they fadge with it, before they be publicly enjoined."—T. FULLER, *Mixt Contemplations*, 23.

THE twenty-six Elders of the Presbytery of Paisley, whose petition was laid on the table of the Assembly of 1865, were not content with the treatment it received. Nor were they at all disposed to acquiesce in the question which they had raised being contemptuously shelved by a mere majority of the Supreme Court. Gathering strength from their defeat, they returned to the charge; and brought before the Presbytery of Paisley a memorial signed by fifty-four Elders (instead of twenty-six), which was in the following terms:—

"The Petition of Elders of various Congregations of the Church of Scotland, within the bounds of the Presbytery of Paisley:

"Humbly sheweth,—That we, the undersigned, Ruling Elders in Paisley and neighbourhood, believe that the recent decision in the General Assembly, relative to the Subscription of the Confession of Faith, is calculated to retard the progress, and mar the usefulness of the Church, by keeping from the ranks of its office-bearers many whose position and intelligence would greatly promote the prosperity of congregations, and of the

Church generally. May it therefore please the Reverend the Presbytery of Paisley to take into their serious consideration how far the present Formula, requiring the assent of Lay Elders to an absolute belief in the Confession of Faith, may be wisely modified or amended, so that those persons who, though believing in the great leading doctrines of the Cross, yet cannot honestly subscribe every section and chapter of the Confession of Faith, may be at liberty to accept office in the Church; and your petitioners shall ever pray, &c."

This memorial, after lying for some time on the Presbytery's table, was considered at a meeting held on the 6th of December. It was supported in a very sensible and able speech by Mr. A. K. Rice, one of the elders who had signed it. Dr. Gillan, the minister of Inchinnan, who enjoyed the lonely honour of being the solitary Doctor of Divinity in the Presbytery, strenuously opposed the proposal which Mr. Rice had made—that an overture in terms of the memorial should be sent up to the Assembly so as to secure a fresh examination of the subject there. The other ministers so unanimously backed Dr. Gillan that Mr. Rice withdrew his motion; and, as far as the Paisley Presbytery was concerned, debates on subscription came to an untimely close. Throughout the country, however, keen discussion ensued, and the fifty-four Elders were very generally sympathized with. Their honest protest was thought to deserve a better fate than to be thrown under the table by the Paisley Presbytery. They had been led to expect that it would have met with support from certain of the ministers. But those who were liberal enough to sympathize with their wishes were not bold enough to avow it. Mr. Lees alone, first minister of the Abbey Church, spoke, though he did not vote, in their favour.

No one else gave them any countenance. It was alleged that at a private conference of the clergy, summoned before the public meeting of Presbytery, an angry divine, with threatening tone and gesture, had vowed that if one of the younger ministers, who had been expected to speak and vote for the elders, dared to do so, that devoted champion should be immediately "libelled." The fist and voice of an angry divine, however, would not probably have cowed and gagged the younger brethren, even in the Paisley Presbytery, had there not been other signs of wrath and tumult all around. The peculiarity of the excitement during this winter, about creeds and rituals, was that the Dissenters became excited, and began to exhibit the liveliest interest in the orthodoxy and purity of the Established Church. In Edinburgh, Dr. Candlish; in Glasgow, Dr. Gibson; and throughout the country, lesser orators in "Free" and U. P. Presbyteries, declaimed against the laxities, the backslidings, the heterodoxies, of the Establishment, which twenty-three years before it had been the fashion to denounce as a "moral nuisance" and a "nullity."*

* "The Established Church is still a power in the land—always excepting the Highlands. Any strong tide or current setting-in within her borders can scarcely fail to have a wide sweep, and bring about noticeable results. Hence the anxiety, if not alarm, with which many of us regard the growing taste for new modes and fashions in the worship of God, as well as new ways of preaching the gospel of his Son. I do not here raise the question of the lawfulness of instrumental music, on which I may be thought, according to modern notions, to hold extreme views, though they are the old views of our learned fathers; nor do I canvass the legislation of the late General Assembly of the Establishment, which so summarily opened the doors of all the churches for its possible entrance at any time. I confess that I cannot but entertain a strong suspicion that the Act passed in May last, if I understand it aright, has altered, it may be unawares, the condition of the Established Church, and seriously infringed upon the legal rights of its Presbyteries. The lawfulness of organs may be held to have been virtually affirmed, without the terms of the Barrier Act being complied with; nay, so far as I can see, without anything like a formal discussion of the subject, and clear judgment upon it, considered in the light either of sound Scripture or of civil statute. Nor are Presbyteries left free to act according to their own views of duty or of expediency in the matter; the sole question, as it would seem, which they have to consider being

Whether this clamour of indignation arose from zeal for orthodoxy—a reviving love of the old kirk—a pleasure in having a new fault to find with her, or a dread of the infection of her errors, I do not presume to say. The ferment had been considerably increased by a

as to the measure of agreement in any congregation desiring the change. All this certainly looks like something new in a Presbyterian Church. At any rate, whether it was so intended or not, it has given an impulse to the movement in favour of instrumental music that cannot now be arrested.

"It is impossible now to put even a drag on the wheels of the progressing chariot. Already, if I am rightly informed, there are churches, more than one, in which prayers are read; and there is not only the chanting of hymns, but the intoning of the Scripture lessons. This is not what might be anticipated. It is too much to expect that our friends in the Establishment should now stop short. They could not do so without retracing their steps; and that, I fear, is a practical impossibility. The movement, away from the old, simple, bare, bald mode of conducting worship, and towards the grand and gorgeous, must now go on; and will go on without any sure landing-place, short of the ultimate embodiment of it in a purely ritual and sacramental system. I am far from saying that the movement to which I refer has come within sight of that, or anything like that *ultimatum* as yet. I merely indicate a strong ritualistic tendency; and I point to the extreme difficulty of such tendencies being either arrested or safely guided in time, or in a manner to secure sufficiently the truth and spirituality of the Church's creed. And I purposely abstain from saying anything of the tendency towards loose, low, and unsound doctrinal theology, as connected with the tendency towards ritualistic pomp and music, so far as the Established Church is concerned. I have a strong conviction, on general grounds, that the two tendencies naturally go together and work into one another. I am satisfied that the lovers of outward excitement and sensuous gratification in the sanctuary will very soon become intolerant of the preaching of men who try to preach like Love, or M'Laren, or Balfour of the last century, or like Thomson, or Chalmers, or Gordon, the men by whose means the evangelical revival of this century was achieved."—Dr. CANDLISH, *on opening Free College, November*, 1865.

"The language of men who write and speak like Dr. Tulloch is the unmeaning cant of men who dread to face the test of the written Word of God, and in reality appeal only to the sceptical of one class, and the blind and frivolous of another, who cannot be said to be never learning, but who may be truly characterised as never coming to the knowledge of the truth. When Dr. Tulloch tells us 'that it is well-nigh impossible that the old relation of our Church to the Westminster Confession can continue,' does it not occur to him that men who have any right sense of moral obligation must draw the conclusion that it is high time that 'the old relation' of the Confession to all ministers and professors of theology in the pulpits and chairs of the Established Church who hold his views, should instantly cease and determine, and they should leave their places to be occupied by those who will honestly fulfil their compact both to Church and State, and not prove, as in the matter in question, traitors to both? It is the worst and blindest of all traditionalism that permits such offence to endure. We on our side may assume the liberty of prophesying, and I assure those gentlemen that unless all right sense of morality in the public mind be either stagnant or retrograde, it is impossible that their relation to the Confession of Faith, with the corresponding temporal advantages thereof, ought or can be permitted to continue."—Dr. GIBSON (Free Kirk Professor in Glasgow) *to Working Men's Sabbath Protection Association*, 1865.

lecture which Principal Tulloch delivered to his students at the beginning of the Session (1865-6). In this address Dr. Tulloch had ventured to predict,—after urging the necessity of studying, the Confession "both historically and philosophically," in order to its being rightly understood,—that a period of change was at hand which the existing formula of subscription would not survive. "Religious thought," said he, "in Scotland, no less than in England, has already entered upon a movement, which is destined to remould dogmatic belief more largely than any previous movement in the history of the Church; and it is well nigh impossible that the old relation of our Church to the Westminster Confession can continue. It is known, indeed, that, with that strange zeal for binding men's consciences which has always been characteristic of Puritanism—and which survived, although weakened, in the Church of the Revolution—the existing relation required of ministers is one which exceeds in stringency the requirements of the law, and that serious complications may at any time arise out of such a condition of things. In one sense, that which has been once done cannot be undone; and there is no man with a large intelligence of Christian history, or of the difficulties attending the effective working of all ecclesiastical organisations, who would propose simply to abandon the Confession of Faith, as some of the clergy of last century did. No Church can ever rid itself of its dogmatic substructures, without the peril of dissolution. But there may be various changes in the relations of living belief to these documents of a former period. This belief is indeed beyond our control, and obeys its own historical laws. It is an utter misconception of the

nature of belief, and of the growth of Christian thought in all ages, to reprobate new tendencies of speculation and of culture arising within national Churches.

"It is worse than ignorance—it is mischievous folly—merely to denounce such movements under the names of 'Broad Churchism,' or of 'loose and vague theology.' Nicknames have always been the resource of exasperated and decaying factions, and as they are a mere makeshift for reason and sense, they only do harm to the cause which uses them. The real exigency of the crisis we are reaching is seen in the very excitement of the blind forces around us, some of which, while unable to rise to any large or enlightened comprehension of the movement amidst which they stand, are yet tossed and hurried by its onward course, which they vainly seek to stem by clamorous abuse, or by wordy syllogisms — syllogisms which, while they shut out the simple light of the very central truth of the Gospel, that God is, and has ever been, the Father of all His rational creatures, training them by a truly parental discipline,—only do this by the help of various minor novelties of doctrine which are far more truly 'heresies,' in the Apostolic sense of the word, than the broad positions which they venture to attack. No one within the Church, I hope, will be moved by accusations flung from such quarters, which have least of all any claim to advise and counsel it." *

Accusations, insinuations, insults, of the coarsest kind, were flung about freely. Let us not recall them from the dishonoured grave of forgetfulness, into which they have descended to their decay.

* "Theological Controversy," &c., 4th ed. (Blackwood), 1866.

Meanwhile, Dr. Lee, hoping that all agitation, whether in the Church or among her opponents, would only help to prepare the way for fuller discussion of the subject at the next Assembly, was content to abstain from any active interference with it. He did what he could, however, to encourage those who were put for the time into the front of the battle. "The Elders of the Presbytery of Paisley," he writes to Mr. Rice, "have done themselves great honour, and deserve the thanks of the Church." Again, on Dec. 20th, "You will find in the *Scotsman* something which will, I hope, be copied into your local paper, and which, I beg, you will receive as my acknowledgment of your excellent speech, and your other valuable efforts in a good cause. It is founded in truth and justice, and will prevail. What a pity Mr. Lees should have seconded Dr. Gillan's motion. The fifty-four have done an important service to the Church, and to the cause of honesty, freedom, and religion."

The "something in the *Scotsman*" was a leader (Dec. 27, 1865), from which the following are extracts :—

"The eldership is, as every one knows, a prominent feature of Presbyterianism. That laymen should have an effectual voice in the government of the Christian Church is what most men of liberal opinions would nowadays consider essential; but Presbytery assigns to them a direct and formal influence by constituting them members of all Ecclesiastical Courts—from the General Assembly, in which they are nearly, though not quite, as numerous as the clergy, down to the Parish Court or Kirk-Session, in which they are, or should be, the great majority—these Courts being entirely composed of lay elders, with the exception of the moderator or president, who is always the minister of the parish.

"The proceedings of our Church Courts for several years past, however, have betrayed a painful consciousness that something

was very far wrong with this distinctive peculiarity—and, as many consider it, this glory of Presbyterian Church Government—the lay eldership. In the first place, it was obvious, and had long been so, that the office was falling gradually into less competent hands. The elders were more and more taken from the lower, sometimes even from the lowest, classes of the people; and in multitudes of cases they were men who could not, considering their position in society, their education and abilities, be expected to have any influence in their parishes, or be qualified to represent the laity in the Superior Church Courts. Nay, it has often been suspected that *nobodies* were sometimes selected in preference for the eldership—that the minister, jealous of interference, might have everything his own way.* This is unquestionable, that, within the Church of Scotland, the office and position of lay elder have, for a long time past, been sinking in estimation, and that a constantly increasing difficulty has been felt in obtaining men to fill the office who were qualified to give to it respectability and influence.

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"This extensive collapse of the Presbyterian system, no doubt, much surprised, and also much afflicted, the General Assembly, which naturally set itself to inquire into the causes of so distressing a state of affairs. As is usual in such cases, all reasons were assigned except the true ones, which yet were obvious enough to all men except the ecclesiastical inquirers, and to them, also, unless it had seemed prudent and even necessary to overlook them. These reasons were two—First, that persons of intelligence and position in society had so extensively withdrawn from the communion of the Kirk that in numerous parishes none such remained who could become elders; the second and more influential reason was, that among this class of persons, there was a general and growing aversion to subject themselves to those stringent professions and subscriptions which are imposed upon lay elders at their induction to office. The General Assembly of 1863 was solemnly see-sawing upon various causes alleged for the unsatisfactory condition of the eldership, when it was startled by an observation from Dr. Bisset

* "Mr. G. of L.," writes one of the "Paisley Elders," "said to me he wanted for his elders *only* those men who would, without hesitation, do as he wanted them. Many other ministers *feel* the same, but have not the courage to express it."

—who not on this occasion alone has honourably distinguished himself by a manly avowal of his sentiments, to the disgust and disquiet of the Fathers and Brethren—that the unhappy state of the eldership was to be explained not by the reasons alleged, but by a quite different reason, which nobody had thought fit to allude to—namely, the nature of the obligations laid upon elders; and he hinted that the time had now come when the General Assembly should take into its serious consideration whether these obligations should not be somewhat relaxed and modified. That speech, so little noticed at the time, and consisting only of a few sentences, marked the commencement of a revolution in the Kirk, and probably in all the Presbyterian bodies in Scotland. . . . These sentiments, of course, brought up a host of replies. A cloud of witnesses among the Fathers and Brethren testified their disapproval, even their horror, at such statements: they had never heard of anything so monstrous as a layman scrupling to become an elder on account of the signature required to the Confession of Faith. Nay, one reverend speaker went so far as to affirm that his elders were so infinitely superior to any scruples upon this head, that they would actually resign their office if it were proposed to exempt them from the privilege of making the present subscription.

"It happened, however, very unfortunately, that in the Presbytery of Paisley there were some elders of the Church—good men, as their ecclesiastical superiors and opponents cannot but admit—who felt themselves constrained to confess that they did not estimate the privilege of signing the Confession of Faith and Formula quite so highly as the General Assembly had been informed the whole body of the eldership did; on the contrary, they regarded the subscription rather in the light of a burden —an offence to the consciences of upright and intelligent men, and a formidable obstacle in the way of competent persons taking upon them the function of elders; and they accordingly laid before the last General Assembly a memorial praying that it would be pleased to take the matter into its serious consideration. No petition could be more reasonable, one might think, or, in the circumstances, more necessary. It was discussed on the last day of the last General Assembly, and they refused by a majority of 130 to 28, the majority (strange to say) being

swelled by most of the lay elders who voted on the occasion—while the minority comprehended the names of the most eminent ministers of the Church—which, perhaps, says something for the future fortunes of the question. This discussion, though it attracted but little notice from the general public, was, both in itself and as a sign of the times, one of the most important that have taken place in this country in recent times; and though the vote was unfavourable (as was to be expected), the results were most significant, and even in one point of view triumphant. It appeared to be demonstrated that no civil law whatever exists which requires the subscription of lay elders, but that the imposition is the exclusive work of the General Assembly itself—unsanctioned by, unknown to, the Civil Government of the country. If this conclusion be sound, the question is disencumbered of its greatest difficulty; and that which is so dear to the heart of ecclesiastical obstructives (who are always beyond measure comforted when they can plead the authority of the Law in opposition to reforms, how much soever dictated by the spirit of the Gospel), the subscription, now stands stripped of all concealments and subterfuges, in its naked odiousness, as an unauthorised imposition of clerical suspicion, party spirit, and sectarian jealousy, introduced in bad times, for mean and unworthy purposes, and maintained for no better reason than an attachment to things simply because they happened to exist, and though the plain interests of the Church—nay, of religion and morality—unite in calling loudly for change. But matters cannot remain long in their present state: the evil is too apparent, the injustice and impolicy are too flagrant. If the Clerical Courts are permitted, of their own authority, without the knowledge and consent of the State, to impose subscriptions and other burdens upon the consciences of their members, or of the other members of the Church, an Established Church may easily degenerate into a spiritual inquisition, and the best arguments which can be employed in defence of State Churches will be taken away. If other remedy cannot be found, one may be sought in the Civil Courts; but it is likely that the Kirk will awake in time to a sense of the scandal and danger of rendering such a proceeding inevitable. . . . .

"The clerical representatives of the Presbytery of Paisley

having returned home found speedily upon their table a document signed by no less than *fifty-four*—a majority, it appears, of the whole number of elders within their bounds. This is highly honourable to the intelligence, conscientiousness, and independence of these elders; and may, we hope, do something to cool the confidence of Dr. Gillan in speaking of the opinions and feelings of the laity. . . . . Those who uphold the continued imposition of the present test upon lay elders must show that it is reasonable; that it is necessary; that it is beneficial; and, above all, that it is legal. If they cannot show these things, their point will not be gained, though they could prove, instead of hinting, that those of their brethren who advocate reform in this and in other points, are nothing better than rationalists or unbelievers.

"The late Report of the Royal Commission regarding the terms of subscription to the Church of England, and the ready assent of all the prelates, and indeed of all concerned, to the relaxations there proposed, supply example and encouragement. Will any one explain why a minister of the Church of Scotland should be required to profess above a hundred times more faith, or, what is the same thing, a hundred times more theological opinion, than is thought sufficient for a clergyman of the Church of England?—and why a layman, an ignorant mechanic he may be, a small farmer or shopkeeper, generally a person in the lower, or, at best, in the middle ranks of society, who has only the commonest education, and may be endowed with the most slender abilities, should be compelled, on entrance to the humble office of an elder in a Scotch parish or congregation, to make a profession incomparably larger, stricter, ten times more difficult to understand, and a hundred times more difficult to adopt, than is demanded of the vicars and rectors, the deans and archdeacons, the bishops and archbishops, of the Church of England?"

It was not, as his enemies liked to allege, from mere impatience of any doctrinal restraints, that Dr. Lee advocated a relaxed subscription. He did so from the strength of his conviction of the evils which the rigid formula created. His sense of the loss and injury which

the Church through it sustained, influenced him most strongly both in this and in his liturgical efforts. The stringent test and the bald service rose before his prescient eye like destroying angels, scaring the best of the national life and faith from the Church's door. Could he but get the better of these foes, then he might hope to see realized the vision, which he cherished, of a strong and united Church, with the best and wisest of the land as her leaders celebrating her ritual, filling her offices, teaching from her pulpits the highest results of the most earnest thought of their generation. As yet it was but a vision; and only too likely, he thought, to remain a vision, as long as every attempt to improve the service opened up a long and harassing conflict; and as long as a layman, howsoever pious, wise, learned, anxious to serve the Church he might be, could not become an elder without signing a formula implying assent to every doctrine contained in the thirty-three chapters of the Westminster Confession.

My readers, I hope, have not forgotten Dr. Pirie's Act of 1865. At his instigation, it may be remembered, the General Assembly "declared and enacted that arrangements with regard to public worship, and all other religious services and arrangements of any kind in parishes and congregations, are to be regulated by the Presbyteries of the bounds, subject always to the ordinary right of appeal, and that even though no express law should exist with reference to such particulars, the decisions of Presbyteries in each case being absolute and obligatory until such decisions have been finally reversed by the competent courts of review."

This declaratory enactment professed, in its preamble,

to be founded on the Act of Parliament, 1592, commonly known as the Charter of the Church, in which it is stated that "it belongs to Presbyteries (*inter alia*) to make constitutions which concern the τὸ πρέπον in the Kirk, for decent order in the particular kirks where they govern." The declaratory enactment, however, omitted all reference to the proviso, with which the above words of Act 1592 are immediately followed, "providing that they alter no rules made by the Provincial or General Assemblies." But this limitation must be understood, though not expressed, in the motion of Dr. Pirie. For otherwise that motion, while forbidding kirk-sessions and congregations to make innovations in public worship, would give to Presbyteries, when no appeal is taken against their judgment, an unlimited latitude to innovate at their discretion, no matter how much their innovations may be opposed to the rules laid down by their superior courts. Such being the case, it would appear that, under Dr. Pirie's rule, Presbyteries would be fully entitled to allow the introduction or continuance of new postures in worship and of the use of instrumental music, or of read prayers, inasmuch as these matters fall under the designation of "religious services and arrangements of any kind," and are things respecting which "there is no express rule or law made by the Provincial or General Assemblies."

The General Assembly prefaced its declaratory enactment by "recommending the utmost tenderness to the feelings of unanimous congregations as to matters of form," whatever that vague term might include. And though it did indeed "prohibit all ministers and office-bearers from assuming in such matters independent juris-

diction," and if they should do so, enjoined Presbyteries to censure them, it did not define what was to be considered as an assumption of independent jurisdiction. And it contained no injunction to Presbyteries, which in any degree controlled or limited *them* in the exercise of the regulative powers which it assigned to them, or in showing, as they are recommended to do, "the utmost tenderness to unanimous congregations;" so that Dr. Pirie's motion, notwithstanding the strong terms in which it was expressed, was yet, when considered as a practical measure for repressing innovations, by no means stringent and effective. Whatever may have been the intention of many who voted for it, it was in effect by no means a reactionary movement, but rather, as was pointed out at the time, "a step considerably in advance of any that has been taken by preceding Assemblies, in the way of facilitating the safe and orderly introduction of such changes in our usages of worship, as congregations desire to adopt, provided that these changes be not inconsistent with any *express law* of the Church."

As regarded its bearing on Dr. Lee, there was no law of the Church forbidding a minister to read his own prayers, either from a printed book or from a manuscript. To do so was certainly a very notable innovation on usage; but still it seemed to be one of those things included in the declaratory enactment as "particulars with respect to which no express law exists," and which, accordingly, "are to be regulated by Presbyteries, subject to the ordinary right of appeal." And this view of it became all the more legitimate when it was considered that the Assembly had unanimously dismissed Mr. McPherson's

appeal, and thereby significantly indicated that the interpretation put by the Presbytery and the Synod on the deliverance of the Assembly of 1864 was a correct one.

The Procurator, indeed, when moving the dismissal of Mr. McPherson's appeal, wished to append to his motion an understanding, that it was competent for the Presbytery of Edinburgh to take up the case *de novo*, under the declaratory enactment passed a few hours before. But the Assembly, as we saw, would not allow of any such understanding. And accordingly the appeal was dismissed *simpliciter*, and the judgment of the Synod sustained, whereby they, "having regard to the deliverance of the last General Assembly, declined to give to the Presbytery of Edinburgh the injunction proposed by the complainers." So that, on the whole, it appeared that this last deliverance of the Assembly released the Presbytery of Edinburgh from any special obligation to institute further proceedings against Dr. Lee for reading his prayers. It was thought by many good judges that obeying the "recommendation to show the utmost tenderness to the feelings of unanimous congregations in matters of form," the proper course for the Presbytery was to find that it was unnecessary to interfere with these practices for the present, reserving their right to interpose if at any time the practices should be found to be subversive of the peace and harmony of the congregation.

This, however, was not the view of their duty which presented itself to several members of the Presbytery, and notably to the Rev. John Stewart, minister of Liberton.

In the pleasant pages of "Woodstock," we read that Colonel Markham Everard, discovering the Roundhead General Harrison in a high excitement, stamping and vociferating under the King's Oak, says to the General's servitor, "Trusty Tomkins," "In the name of heaven, about whom and what is he talking? Wherefore does he go about with his weapon drawn?" "Truly, sir," replies Trusty Tomkins, "when aught disturbs my master, he is something rapt in the spirit, and conceives that he is commanding a reserve of pikes at the great battle of Armageddon."* A hallucination, apparently in some measure akin to that of this distraught Puritan, seemed, for about two years after the Assembly of 1865, to possess the mind of the Rev. John Stewart, minister of Liberton, and, in a lesser degree, that of the Rev. R. H. Stevenson, minister of S. George's, Edinburgh. The former gentleman, especially, evidently laboured under the delusion that a great conflict between the pure faith and sensuous corruption was a-waging in the Presbytery of which he was a member, and that it was his part to lead "the reserve of pikes." With a boldness engendered either by a noble sense of duty, or a happy unconsciousness of anything *outré*, he—"impar congressus Achilli"—entered the lists against Dr. Lee.

After some preliminaries, Mr. Stewart, on the 27th of December, moved in the Presbytery,—

"Whereas the using of a book of prayer in the celebration of public worship is contrary to the laws and usage of this Church; and whereas it is generally reported that this practice is followed by the Rev. Robert Lee, D.D., minister in the church of Old Greyfriars, and that notwithstanding a judgment

* "Woodstock," chap. 14.

of the General Assembly, of date 24th May, 1859, ordering Dr. Lee to discontinue the practice, and to conform in offering up prayer to the present ordinary practice of the Church, it is moved that a committee be appointed to make all necessary inquiry as to the use of a book of prayers in the conducting of public worship in the church of Old Greyfriars, and to report that the case may be dealt with according to the injunction of the last General Assembly."

"If Dr. Lee," said Mr. Stewart, arguing in a fashion by this time familiar in these discussions, "to gratify his own taste, or to pander to the tastes of some fashionables in our great cities, disregards his ordination vows, sets the laws and usage of the Church at defiance—he must be prepared to abide by the consequences. If there be individuals within the pale of the Church of Scotland who have a conscientious preference to read prayers and a liturgical form, I would say to such, with the best feelings, let them join the Church of England, where they will find a venerable and approven liturgy, and not the spurious and irresponsible article which has been introduced of late into Greyfriars' Church."

For more than two years the Presbytery had not enjoyed the presence and counsel of the Rev. Dr. Muir. He had been sick. Upon some men, especially men of simple and pious heart, bodily affliction works valuable and improving changes. It frequently sweetens a sharp or acrid temper, subdues an impatient spirit, and suffuses the whole character with a milder gentleness and charity. Men recovering, after painful sickness, their former powers of thought and work, often are moved to use these with a humbler and kindlier regard to the feelings of others, and a keener sense of their own unworthiness. That this happy result of corporeal suffering is not the

universal rule, even among pious persons, was proved in the case of the Rev. Dr. Muir. After his two years' absence, and his illness, he came back to the Presbytery in a spirit which worldly men, ignorant of that zeal for "Truth" which seems as a fire to consume all other gifts, would be apt to consider more astringently intolerant and pharisaic than became a divine of advanced age and of much repute for many Christian graces.

"I don't wish," said Dr. Muir, "to be thought a terrorist. I don't pretend to be prophetic, but it is to me most evident that the work that has been begun and carried on so far, has been begun and carried on under the sinister influence of the great enemy of the Church—that enemy who has always set himself in opposition to the truth as it is in Jesus, and to the work of conversion—I mean Satan himself. It is my firm conviction that, proceeding as we are now doing, this blessed institution of ours, which through grace has been so serviceable generation after generation, is about to be destroyed. Sir, I love to bear my protest on the side of the precious standards of our Church—those standards which, in my opinion, are the most exact voice of God's holy Word. I love to have the opportunity of bearing my testimony to our precious system of public worship. Simple in the form of it; nothing in it to come between the soul and Christ, the object of the soul's worship; but all in it that, away from intricate liturgical ceremonial, will lead to the accomplishing of that which our blessed Saviour has told us we are to aim at in public worship, the worship of God, who is a spirit, in spirit and in truth. I own to you that my heart has been deeply oppressed by all that has been going on amongst us, under a thorough conviction that it is a plan instigated by the great enemy of evangelical truth, for the purpose of destroying in our land that which has been the main bulwark of the truth, and the main instrument of circulating it and impressing it on the minds of the people. . . . . Is a man who has taken solemn oaths to maintain the doctrines of the Church, to follow, as the words are, 'No divisive course from the doctrine, worship, or discipline of the Church',—

having made such an engagement as that, and having, upon the faith of that engagement being a true one, been inducted or ordained by his Church, and in consequence of that induction or ordination allowed and protected by law to eat the aliment which the law has provided to him upon that condition —is that individual entitled to make changes, serious changes, to use influences that are, in my opinion, subversive of the doctrinal standards of our Church, and serving to deform the worship of our Church, contrary to the principles of our Church —is that individual to continue still within the bounds of the Church? I do not trammel the mind of any one. I maintain the right of private judgment, but the man is not the right man in the right place. There is room—there is space enough for him without, and without he shall meet with those who thoroughly conform to his opinions, and sentiments, and practices. I beg it to be understood that I am not calling in question the sincerity of any one who follows the course which he considers, after serious investigation, to be the right one. Sounds come to us from the west country such as this, that, with regard to the result come to, it has been come to after serious communion with the Heavenly Master—after serious thought and serious prayer—and it is declared that the result has been come to, and is held, while the mind is kept in perfect peace. That ought to be the result, most assuredly, where these processes have been gone through, and where that effect is produced. I am not finding fault with the individual taking that course. I may lament the conclusion to which he has come. I may regret very much that congratulations at what is called the boldness and honesty of these opinions, as expressed within our Church, have come from parties who are anything but friends to evangelical truth. That is to be lamented. I bewail it. A feeble prayer of mine, could it be of use, would be repeated again and again for the purpose of bringing him to a better mind; but I say that individual is perfectly justified in coming to the result he has come to after spiritual and intellectual exercise; and, being sincere in it, there is no marvel his mind has had peace. But I say his mind cannot be at peace if he keeps within the bounds of the Church, into which, because of his known opinions, attested by his oath, he has been inducted, and is entitled under

law to draw his stipend. No, sir! we may regret and lament his withdrawal, but sincerity and regard to oath demand that such things be not done within the limits of the Church.

"Dr. LEE—I must speak to order. So long as Dr. Muir only insinuated that I was inspired by Satan, I was content to be silent; but now when he brings in another person who is not a member of this Presbytery, and whose conduct is not under our jurisdiction, I think he is transgressing propriety. I do not say he is transgressing charity; but I say the Rev. Doctor is transgressing the rules of propriety. Dr. M'Leod, whom there can be no doubt the Doctor is describing, is not before us, and I maintain it is both irregular and unbecoming to bring his case before you in this manner.

"Dr. MUIR—That which I referred to was not done in a corner. It was blazoned in all our newspapers, and the individual to whom I refer, I am persuaded, would not be ashamed to defend it. But I gave it as an example, and I am allowed in my speech to take my illustrations from any quarter."

"I have heard to-day," said Dr. Lee, when he rose to speak, "as I have many times heard before, a great deal of denunciation and a very great deal of what I think uncharitable and unwarrantable insinuation; but I have listened with anxiety, yet found very little that can by any stretch of courtesy be considered argument or fact. I have been asked again how I could remain a minister in the Church and persevere in customs contrary to its laws and traditions. I ask the gentlemen who have spoken, Where are these laws? I ask them to quote the laws. The General Assembly in 1859 gave a decision, which has been often referred to, in which it said the reading of prayers was contrary to the laws and usages of the Church. To its late usages, no doubt, that practice is contrary, but I deny that I have broken any law of the Church —I have challenged my opponents again and again, and I now challenge them to condescend upon the laws which I have broken. When a man is arraigned before a Civil Court, where the forms of justice are observed, where common regularity is observed in the proceedings, the clauses of the Act which he has violated are condescended upon and quoted. Why have

not these gentlemen quoted the Act which I have violated by reading my own prayers? I say this is not worthy to be called argument. It is wild, reckless, and unfounded assertion, and nothing more. Do you not know that the Church began with a liturgy, and that every man read his prayers—that the last prayer in which John Knox joined was read—and that in your Acts of Assembly, in the proceedings of your Church Courts, you cannot find one Act of a General Assembly, or one authoritative proceeding, either condemning or discountenancing the reading of prayers? I call upon you to produce these Acts. Until you produce them, I shall continue to assert that there are none, and that I have broken no law whatsoever. If I thought I had broken any law, I should certainly be very sorry for having done so, and instantly amend my conduct. Some rhetoric has been added to adorn the rotten arguments which have been attempted. But, somehow, this ornament does not conceal the rottenness at all. A rev. brother has accused me of pandering to fashionable audiences, in order to have a great crowd in the church. I have never needed to pander to either high or low, or to any prejudice whatever; and I should disdain to pander to any man's prejudices or to any man's feelings for any such purpose. I have done what I believed I had a right to do, according to the constitution and laws of this Church, and I shall maintain that I have, and act upon it, until some authority better than bare assertion is brought to refute it. Why should I not introduce the washing of the disciples' feet, he asks, and the venerable rite of confirmation, and also the practice of extreme unction? Why should I not introduce these things as well as what I have done? For this reason, that I believe these things are without warrant, that I believe some of them superstitious, and because they are forbidden by the laws of the Church. I would abstain from them for the former reasons if I were not forbidden; I abstain from them because they are forbidden by the laws of the Church. For the same reason, I do not read the English Prayer-Book, because, though I am not forbidden to read my prayers, I am forbidden by the law, history, and constitution of the Church to read that liturgy. Because I feel myself at liberty to do things not forbidden, does it follow that I am prepared to do what is forbidden? I say, again, that I am conscious

of doing nothing that is forbidden, and that the gentlemen who are so loud have utterly failed to show that I do. As to a liturgy, really one might expect in an argument some definition of what a liturgy is. According to my understanding, a liturgy is a public document sanctioned by the public and imposed upon all the ministers of the Church. That is what I understand by a liturgy—I should like to know what the gentlemen who have spoken to-day understand by a liturgy. They seem to mean that the reading of prayers is a liturgy. Such confusion of ideas, sir, is astonishing in a Church Court. It is astonishing among sensible men, and much more is it astonishing among clergymen and Church lawyers. We all know what the liturgy of the Church of England is. It is a set of prayers and services made and sanctioned by public authority, and which every minister is obliged to use. John Knox's Liturgy, though not enforced with the same strictness, had the same character, and every liturgy has the same character. When a man reads his own prayers, which he changes as often as he likes—of which he uses some one day, others another day—which he adds to, takes from, and deals with as he pleases—are these compositions a liturgy because they happen to be of his own composition? Really, sir, I feel ashamed to reply to such confusion of ideas—I do not give it a stronger term. Suppose you succeed in violating the laws of the Church and taking away that liberty which now by law I enjoy of reading my prayers, what do you make me do? You compel me to make a much closer approximation to a liturgy than now exists, because I should be compelled to do what other gentlemen do whose consciences, I suppose, are free from the sin of liturgising—to learn one of the Sunday's prayers and repeat it perpetually, as some of the brethren here do. I should think the essence of a liturgy—if it is not to be defined as I have said—is sameness, the repetition continually of the same thing over and over again; and I maintain that the disuse of reading prayers has had this effect extensively. I do not blame the men who have acted in the way I have now described. Many able men are not capable of speaking extemporaneously, or of learning off what they have written, and so they are forced to approximate to a liturgy by the very horror of read prayers. Reading of prayers is not contrary either to the laws

or the constitution, or properly interpreted traditions of the Church. . . . . One would suppose, to hear what has been said this afternoon, that some monstrous evil was practised by myself and my congregation. The inspiration of Satan has been referred to as alone sufficient to account for such things. I can hardly trust my ears when I hear this said. Why, what is it that is done? It is that only which all the Reformers did, which the Church of Scotland itself did during its earliest and best years. I hope the Christians in England are not inspired by the devil when they read the 'Book of Common Prayer;' and I hope John Knox was not inspired by the devil when he composed and used the Book of Common Order, and I hope the Christian Church generally, which has hitherto not used read prayers, are under no Satanic influence in the universal conviction that begins to be diffused, that an extemporaneous service is not the most edifying, and that it is proper and most advantageous to employ written or printed compositions during at least a part of the service. Why, the application of such phrases and the allegation of such causes really betray, I think, an extremely weak position and a very distressing want of plausible arguments. Now, as to Dr. Pirie's Act I beg to say that I regard that Act as totally illegal and incompetent. It carries illegality and contradiction on the very face of it, and I should be very sorry indeed if the Church of Scotland should think itself obliged to carry that Act into effect. It calls itself a declaratory Act, and yet it is manifest upon the very face of the Act that it is not a declaratory Act, that it makes new enactments, and that particularly it not only changes, but reverses, in one particular, the forms of process. It takes away the right of appeal in certain cases from the aggrieved party, contrary to the plain law and the universal practice, not only of the Church Courts, but of every Court in which even the appearance of regularity and justice is preserved. Can any man read that Act and contend that it is truly and properly described when it is called a declaratory Act? I maintain it is illegal, incompetent, and contrary to the law and constitution of the Church in the respect I have now mentioned, and also in respect of its revolutionising the relations in which kirk-sessions stand to Presbyteries, and denuding these Courts of their constitutional

rights and powers. Do not therefore quote to me that Act. Somebody talked of a collision with the civil power. I fear that the attempt to enforce that Act might lead to a collision with the civil power, and I shall venture to return the warning which some have given to me, to take care that, in endeavouring to punish a member without the law—contrary to the law, as I maintain—but certainly without the law—you do not bring the Church Courts into collision with the civil power. I should be very sorry indeed if anything of the kind should happen, and I should be extremely sorry to be the occasion of any such thing happening. I merely take the liberty of giving a solemn warning to this Presbytery and others interested, lest in their zeal in endeavouring to put down what is not good and right according to their notions, they begin to punish their members without having any ground in their law for doing so. I shall only add a word in regard to the decision of 1859. I felt there was ambiguity in it, and I was not sure whether I understood it correctly or not. I therefore said, 'according to my understanding of it'—I thought I saw the meaning, but could not be sure—'that I would endeavour to comply with it.' I did endeavour to comply with it. It is not a pleasure to me, whatever some gentlemen may think or say, to stand in opposition to the Church Courts. I feel painfully to be constantly upbraided, as if I were a man without any conscience, that I do not feel the obligations of vows that I have taken upon myself. It is not pleasant to be upbraided in that way, and I was anxious to comply with the prejudices, as I thought them, which had prevailed in that General Assembly. Accordingly I made various attempts to carry on the public worship without a book. Since the book was an offence in the eyes of the General Assembly, I endeavoured to carry on the public worship otherwise. At one time I could repeat all the prayers in the book from memory, but I now found that whether from disuse or from advancing years, I was no longer able to do without it. I took notes with me, and I bungled the service. I do not know whether other people thought it was bungled, but to my apprehension it was. I was not doing justice to my own ideas. Then I wrote out notes larger and larger, simply to assist my memory. This issued in the composition of a new book. That book, thinking it might be useful

to others, and thinking it was a mere quibble to read from manuscript instead of from print, I printed; and the more so, as it contained a proper selection from the psalms and paraphrases for singing. It was with that view primarily that the book got into the hands of the congregation—the psalms being printed along with appropriate tunes to which they were always sung. The only other objection is to the response 'Amen' at the end of the prayers. I did not think it required the authority of the Presbytery or the Assembly to recommend a practice which was sanctioned by the Old Testament, and by the New, expressly. I did not think I needed to come to the General Assembly or the Presbytery, when I had the express authority of the law and the prophets, and of the New Testament itself, for a practice without which public worship wants the very form of congregational worship. I did not think it possible that any man could suppose that could be a violation of the law; and I ask where is there anything forbidding such a practice? All Christians throughout the world—all the ancient Churches, both Greek and Latin—and all Churches which have a worship make the 'Amen' response; and I think it would have been too ridiculous for me to have come here and asked whether you thought I ought to do a thing which you all ought to do, and teach your congregations to do."

The "previous question" was moved by the Rev. William Smith,* and supported by Mr. Wallace, Mr. Gray (of Lady Yester's), Dr. Crawford, and others, on the ground that the Presbytery—having already in 1864 declined to interfere with Dr. Lee, and been borne out in that decision by the Synod and Assembly, which both rejected Mr. McPherson's appeal—could find no new circumstances to have arisen, necessitating any change of policy. On a division, Mr. Stewart's motion was lost, by a majority of 5, the numbers being 20 and

* Of North Leith (now D.D.), the able successor of Dr. Robertson in the Chair of the Endowment Committee.

15. He and others (Dr. Muir, Dr. Veitch, &c.,) appealed to the Synod.*

"We are," writes Dr. Lee, a few days later, "approaching a crisis. The outburst in our Presbytery last week will, I hope, open many people's eyes to the truly Pharisaic temper of W. Muir, D.D., and his party."

This temper had not been soothed by Dr. Lee's latest "innovation," which was to celebrate a marriage publicly in church. The ancient Scottish usage was to celebrate marriage in church, and the Westminster Directory enjoined it; but slovenly custom had let this injunction fall out of sight. Dr. Lee, in this point, as in all other points, faithful to the older and more reverent usage, restored the practice of public marriage. Mrs. Ferguson Blair and the Hon. Captain Arbuthnott were married in Greyfriars Church on the 6th of December. The marriage service used was that in Dr. Lee's Prayer-book. This novelty attracted so much attention that the *Times* thought it worth while to quote the report of it from the *Courant*, and shortly after to take the Presbyterian innovations as the text of a leading article :—

"The latest innovation is that of marrying in church, which has lately been introduced. In this movement Dr. Lee is not behindhand; and on Wednesday last a 'marriage in high life' came off in Old Greyfriars, and the marriage service in Dr. Lee's book, entitled 'Order of Public Worship and Administration of the Sacraments,' was used. As we read from the report in the *Courant*,—

"'Dr. Lee, who was arrayed in his robe, with purple hood, having taken his seat at the table, the service began by the organ playing a "voluntary." The 128th Psalm was sung by

* *Scotsman*, and *Courant*, 28th December, 1865.

the choir, with organ accompaniment, after which Dr. Lee read the service, the Lord's Prayer being repeated by the choir after the minister, and the "Amens" given by the choir and organ. The *Te Deum* was beautifully sung to a Gregorian chant, and as the party left the church Mendelssohn's "Wedding March" was played. The ceremony lasted about half an hour.'

"It certainly is a surprise to us," says the *Times*, with that complacent English ignorance of everything Scotch, which distinguishes the journals of the Metropolis, but which, in this instance, was only on a par with ignorance nearer home—"to hear that there is no law of the Kirk against a written form, that John Knox himself used a public form, and that it continued in use for seventy years after his death.

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"Nothing, indeed, can be more monotonous and stale than the ineffectual straining at a novelty and originality which never will come, and are not in the men. This is the case in most of the Scotch pulpits, as no doubt it would be in this country. But still we thought this attempt had been made indispensable. 'No such thing,' says Dr. Lee. 'The prohibition is directed, not against any printed forms that a man may make for himself and recommend to his congregation, but against a liturgy publicly authorised, and compelled upon the use of all the ministers and congregations.' This view of the case seems to have been adopted by the Presbytery of Edinburgh. If it stands, we are not sure that the Scotch Kirk will not have the advantage of the Church of England, in having liturgical worship with an unlimited power of adapting it to every variety of want and occasion, and of consulting the taste and convenience of the worshippers.

"If the minister of Old Greyfriars Church is at fault on the legal question—that is to say, in his interpretation of the word 'liturgy' in the Laws and Acts of the Assembly—there must be an end to non-interference, for the Kirk is not a thing to be sacrificed to the caprices of an audacious malcontent. But Dr. Lee's facts, as well as arguments, go a great way to show that the Assembly cannot interfere with the use of an invariable form of prayer. Human weakness is too strong for it, the great majority being incapable of any other kind of prayer. But it is worth a little thought whether the age is not becoming

too refined, too fastidious, too critical, and too reasonable for extemporaneous—that is, declamatory—prayers." *

As the Synod did not meet till May, the "Greyfriars' case" had to remain in suspense until that time arrived.

The subject of innovations, however, was again brought before the Presbytery, indirectly, in a discussion which followed a motion made by Dr. Lee, on the 28th February, that the Presbytery should overture the Assembly to repeal "Dr. Pirie's Act." Dr. Lee examined the Act at great length, and found it inept, contradictory, and unsound, from its title to its conclusion. He maintained that it was an enacting, and not, as it was called, a declaratory, Act; that it enacted what was not only new law, but contrary to existing law; that it fell into the vulgar error of confounding law and usage, as though these were identical; and that it conferred on Presbyteries rights which they did not possess, inasmuch as it caused it to be inferred that acts of a minister or congregation, in themselves contrary to law and usage, would be legitimate if only authorised by the Presbytery:—

"The Act proceeds, 'Whereas such proceedings are inconsistent with the principles of Presbyterian government as at all times maintained by this Church, and confirmed by law under the Act of Parliament 1592, commonly known as the charter of the Church, and various other statutes, according to which the power of regulating all such matters is vested in Presbyteries exclusively.' This is an astounding assertion. Why, it is perfectly well known that Presbyteries were originally no element of Presbyterian Church government at all. It looks ludicrous, but it is very well known to be the fact, that such a thing as a Presbytery did not exist in the Church of Scotland for a very considerable time. In the Second Book of Discipline you have

* *Times*, 3rd January, 1866.

a delineation of the polity of the Kirk in regard to Courts, and you are there told that all Courts, or Assemblies, as they called them, are four, and these four are—Elderships or Kirk Sessions, Provincial Synods, General Assemblies, and Œcumenical Councils. There is no mention of or allusion to Presbyteries whatever. Not only so, but in the year 1581 a petition was brought before the General Assembly to erect Presbyteries, and the General Assembly treated that as an innovation and a novelty, and said that 'the exercisings,' as they called them, were equivalent to what the petitioners desired. It is clear from the passage in the Second Book of Discipline to which I have referred, which is in the seventh chapter of that Book, that the original constitution of the Church of Scotland knows nothing of that Court, in which it seems the power of regulating these matters is vested. It is quite true that by the time the Act 1592 was passed Presbyteries had come into existence. At the same time, it is a very remarkable thing that the Act still attributes to the Kirk Sessions the same powers which they had had before—'In all particular congregations, gif they be lawfully ruled by sufficient ministers, the sessions have power and jurisdiction in their own congregations in matters ecclesiastical.' I should exceedingly desire to know where these laws and regulations are which vest these things 'in Presbyteries exclusively.' I am not aware of any such law except the one passed last year, which says that those things belong to Presbyteries exclusively; and which introduced the greatest innovation that has ever been introduced into this Church by taking away the appeal, so making the decision of the Presbytery effectual until it has been overturned by the Superior Court. But I am not aware of any other Act that does so. Certainly, the Presbytery has a right to proceed in appeals from the Kirk Session; the Synod has the same right to proceed in an appeal from the Presbytery; and the General Assembly has the same right to proceed in an appeal from the Synod, regarding such matters as this, and all matters whatsoever. In what sense, therefore, the regulation of these matters can be said to rest exclusively in Presbyteries I cannot divine. The Act goes on to say that such proceedings might not only bring the Church into collision with the civil authorities, but tend also to sessional independency. This Act would probably, and I think it would

undoubtedly, produce the evil which is here threatened to be occasioned by what they call this sessional independency. There can be no doubt that, according to the present constitution of the Church, every member aggrieved in an Inferior Court has a right of appealing to the Superior Court; and, according to your form of process, and your habitual and universal proceeding, the appeal sists the action which has been determined. If you propose to do anything, the appeal of the party prevents you doing it; whereas this is all reversed by this Act. The thing is to be done and carried out, and it is to be good until the next General Assembly, as the Superior Court shall annul it. I say that is a revolution; and it is plainly unlawful. It is plainly contrary to your universal practice, and plainly contrary to all justice and common sense.

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"Then comes the enacting part of the Act—'The General Assembly, while recommending the utmost tenderness to the feeling of unanimous congregations as to matters of form, do hereby declare and enact that arrangements with regard to public worship and all other religious services, and ecclesiastical arrangements of any kind in parishes or congregations, are to be regulated by the Presbytery of the bounds.' Now, this is a revolution in the constitution of the Church of Scotland. In the first place, it says, 'while recommending the utmost tenderness to the feelings of unanimous congregations.' What do they mean? Do they mean that the matters which are brought before them by unanimous congregations are matters lawful? Very well. If these matters be lawful, then the unanimity of the congregations is nothing to the purpose whatever. Their unanimity does not make the matter more lawful. But if the matters be unlawful—if, as this Act says, they be contrary to the established laws and usages of the Church—the unanimity of the congregation desiring such unlawful changes is a consideration which the Presbytery cannot lawfully take into account. If, for instance, the introduction of an organ be a lawful thing, if it be a thing not forbidden by the constitution of the Church, then the congregation has a right to it. But if it be in and of itself an unlawful thing—if it be contrary to the laws and usages of the Church—then the unanimity of a

congregation ought not to persuade a Presbytery to grant it their sanction. They are not to encourage a congregation to break the law because the congregation happens to be unanimous, and because it would be an unsafe thing to offend a unanimous, and numerous, and perhaps a powerful congregation. I say that is a most cowardly proposal. It is unworthy of the Church of Scotland. It is unworthy of men who have convictions, and who think that these things are unlawful. 'They are unlawful,' they say, 'but if congregations unanimously desire these things we shall put the unlawfulness in our pocket.' And what is the result? Everywhere the Presbyteries are sanctioning the introduction of organs into unanimous congregations. I never wished the Church to sanction the introduction of organs; and no other Church that I am aware of has sanctioned the introduction of organs by law. Even in the Church of Rome there are no laws introducing organs or instrumental music into churches. It is a thing permitted. It is the same thing, I believe, in the Church of England. They never go to the bishop asking him to sanction the introduction of an organ. I believe there is no law on the subject. But what have you done? Your Presbyteries are giving positive approval to organs, which nobody asked them to do. You are innovating far more and far worse than those who were charged with the guilt of innovation. This is a very serious matter. It puts the Church Courts in a most disadvantageous position. If they had been content to leave the thing alone, expediency might have determined whether it might have been proper to interfere, in a lawful way. But now, by this finding, you have given the Presbyteries an authority which they are acting upon, and the result is that they are sanctioning a thing all over the Church which the Act of the General Assembly declares to be contrary to the laws and usages of the Church; for this is one of the most prominent of those innovations which are alluded to. Matters of form! What are matters of form?

"Mr. STEWART—Postures, I suppose.

"Dr. LEE—That is one form, but there are a hundred other forms besides postures. You should have told us that postures are one of the things to be regulated by Presbyteries. Surely an organ is not a matter of form? It is a matter of substance. The attitude in which a man kneels is a form, but the introduc-

tion of an instrument of music is not a form. Have we been dreaming in supposing that kirk-sessions hitherto by law have certain defined functions in regard to public worship? Was old Pardovan asleep, or was he insane, when he wrote his chapter on the functions and powers of the different Church Courts, and when he told the kirk-sessions what they have been acting upon ever since and for years before, that the regulation of all matters of public worship belong to them—that the time of public worship, that the time of celebrating the Sacrament, the number of diets of public worship, and all these matters pertaining to particular congregations, were the proper charge of kirk-sessions; and when he tells you afterwards that Presbyteries, if they have proceeded orderly, are not to entertain complaints regarding these, but to leave them in the hands of the kirk-sessions, where they are placed by the law. It is clear that the matters to be treated of by kirk-sessions are matters relating to Church discipline and to the worship of God in the congregations. Now, is not the Act of Assembly of last year a revolution? All these matters, that Act says, are now to be regulated by the Presbytery of the bounds. The arrangements with regard to public worship and all other religious services, and ecclesiastical arrangements of any kind in parishes or congregations, are to be regulated by the Presbyteries of the bounds. It is a radical revolution. It contains the words, 'subject always to the ordinary right of appeal'—in that case there is an appeal mercifully granted—'even though no express law should exist with reference to such particulars.' Here there is an ambiguity in the Act which is of very great importance. The framers of it have not made it clear whether this clause is to be added to the clause going before, or to be attached to the clause coming after; and so it will have different meanings according as it is read either way. Supposing this clause is intended to be read with that immediately preceding, then, according to this reading, the Presbytery may interfere and do what it likes in regard to matters of worship, and so on, even though there be no law established on the subject. This gives them a *carte blanche* to dictate and act tyrannically if they like, though no law can be pretended in the matter. I rather think, however, that the clause is intended to be connected with what follows; and then it must

be read—'even though no express law should exist with reference to such particulars, the decisions of Presbyteries in each case being absolute and obligatory until such decisions have been finally reversed by the competent courts of appeal.' Now, I would ask you, Moderator, and my brethren here, and the elders, forgetting altogether the occurrence which gave occasion to this Act, to look at the effect of this clause. A kirk-session has made some alterations, and they are brought before the Presbytery, and it appears there is no law on the subject; but the Presbytery thinks proper to reprove the minister, and to forbid the practice. He, thinking that they are acting contrary to the law, and beyond their jurisdiction, sees proper to resist. The Presbytery takes him on discipline, and they proceed, as they may, to extreme censures. They depose him, in short; and then their decision is absolute and obligatory, until it has been finally reversed by the competent Court of review. Whatever may be said of that clause, this at least is perfectly evident, that it is a revolution in the procedure of the Church. It is contrary to the form of process in every particular, because, according to the present laws, the appeal of a party who considers himself aggrieved prevents the decision being absolute and obligatory. Things stand as they were until the superior Court has affirmed the decision of the Presbytery; but here the decision takes effect in spite of an appeal, and an individual suffers all the hardship, and, it may be, all the disgrace, of an unjust and oppressive sentence till he is relieved by the Synod or by the General Assembly. I say this is an outrage upon justice; and a revolution in the modes of procedure which have taken place in this Church hitherto. It is very true that the General Assembly sometimes, in complicated cases of evidence, gives an inferior Court instruction to proceed in the face of an appeal; but observe what the difference is. They are not permitted to do more than pass over appeals taken on points of form. They are now permitted in this way to dispose of the merits of the case. These are reserved for the consideration of the superior Court; whereas here the Presbytery is allowed to do what it likes, and its decision stands and is effectual till the Synod or General Assembly shall reverse it. Then the Act proceeds to say—'The General Assembly shall prohibit all ministers and office-bearers from assuming indepen-

dent jurisdiction in such matters.' This is nonsense. Nobody pretends to independent jurisdiction ;—'as inconsistent with the vows of submission pledged by them at ordination to the superior Courts, under pain of the highest censure.' Observe that the Presbytery has power given to it to inflict the highest censure, which is deposition. Now, what are these matters for which such legislation is made? Are they immorality? Are they some crime of which a man may have been guilty, and by which he becomes a disgrace to his profession and a scandal to the Church? Are they teaching of doctrines which are contrary to the Scriptures and Confession, and pernicious to the souls of men? Nothing of the kind. They are such matters as reading a prayer out of a manuscript or out of a book, which the man himself has written, instead of repeating the same prayers which he has written and learned off. They are such matters as these—which must be allowed to be trivial matters—matters of small importance at the best, and which have importance attached to them only because they are made matters of discussion, and opposition, and party spirit. Is a man who may be irreproachable—who may be ever so useful in his day and generation—a man who has adopted some change of this description, so small and unimportant, that it may be wise in the Church never to notice it—is he to be treated as a malefactor and a felon? Surely, if it were necessary that some disapproval should be expressed, some punishment should be undergone for things of this kind, that is not the way in which they ought to be dealt with. This is to confound great and small. This is to make the matters of cummin and anise the weightier matters of the law. This is to confound all right and propriety. It is to alienate and disgust the people, as well as to infringe upon all rules and justice; and, apart altogether from any interest I may be supposed to have in this matter, if I had the very opposite opinions to those which I have in regard to what are called innovations, I should be equally determined and equally earnest in beseeching this Presbytery not to allow this extraordinary piece of legislation to stand another year on the statute-book of the Church of Scotland. It certainly is not creditable—it is to be lamented that such an Act should have been passed by the General Assembly; and I excuse it on this ground, that the great proportion of those

who voted for it did not indeed see the meaning or tendency of what they were about."

The debate on Dr. Lee's motion was continued at great length. To give those who are not acquainted with the style of such debates, and who have perhaps but a vague idea of what kind of theatre for clerical discussion a Presbytery is, some notion of the way in which the Presbytery of Edinburgh conducted its affairs, an extract from the report of this meeting may be introduced. Shortly after Dr. Lee sat down, Mr. Stewart stepped to the front, and the account of the proceedings is as follows:—

"Mr. STEWART, of Liberton, said:—I would be very happy to go along with Dr. Lee, could he have afforded me some reason to believe that a more stringent Act—(laughter)—might be passed, by which those innovations could be put down which have been introduced into the Church, and which, wherever they have been introduced, have spoiled that beautiful simplicity—that uniformity in the form of worship which, till the days of Dr. Lee—(laughter)—entirely characterised our Presbyterian worship—innovations which, unless put down very speedily by the efforts of some of the leal-hearted men of our Church, I fear that the foundations of the Church of Scotland will be shaken, and that our Church will be found among the things which have been. (Laughter, and cries of 'Oh.') I entertain these opinions honestly. Of course, they may appear strange in the eyes of some; but perhaps the days will come when, in place of laughter, there will be mourning. (Laughter.) The Act which Dr. Lee wishes to be repealed is what I believe to be a declaratory Act. It is no new piece of legislation. The design of that Act is to put an end to that tendency to Congregationalism which unhappily prevails at present in the Church, and to put an end to those attempts by individual ministers and kirk-sessions, in defiance of the laws and usages of the Church, to do what seems good in their own eyes, and thus to substitute, for our beautiful Presbyterian form of Church government, Congregationalism or Independency. (Cries of 'Oh.') Had the Presbyteries of our

Church done their duty—had they exercised the authority which belongs to them, and which I believe it is the great design of this Act of Assembly to induce them to do—and I am ashamed to say that there is no Presbytery in the Church more culpable than the Presbytery of Edinburgh—had we done our duty at the proper time, not only would this law have been uncalled for —not only would those innovations which have been introduced into and which are systematically pursued in Old Greyfriars' Church, in defiance not only of the laws and usages of the Church, but in defiance of the direct order of the General Assembly——

"Dr. LEE—I wish to call Mr. Stewart to order. I wish to know on what ground, in discussing this overture, he thinks himself entitled to bring me in, or my proceedings. (Hear, hear.)

"Mr. RANALD MACPHERSON—Mr. Stewart can clearly do it, on the ground that Dr. Lee in his speech alluded to his previous proceedings. Dr. Lee introduced the prayer-book and the organ, and Mr. Stewart is clearly in order in introducing these matters.

"Dr. LEE—I did not discuss the propriety or impropriety.

"Mr. STEWART—I was endeavouring to say that, had this Presbytery done its duty, these innovations would not only have been at an end, but they would also have been at an end in other churches where they are practised. And not only so; but except for the supineness of the Presbytery of Edinburgh, out of which supineness it is the design of this Act of Assembly to rouse us, I verily believe that these assaults which have been made upon the fundamental articles of our most holy faith by some of our ministers, and some of the teachers of our youth, would have been unheard of.

"Mr. SMITH, of North Leith—Certainly this is out of order. If we are to set ourselves up, at this stage of the proceedings, as judges of the teachers of our Universities, in these unguarded terms, it is a very strange proceeding.

"The MODERATOR—I think we should discuss this overture without reference to any individual whatever.

"Mr. STEWART—I shall endeavour to obey your ruling. I hope the leal-hearted ministers of our Church—— (Cries of 'Name.') It is out of no feeling of disrespect to a single indi-

vidual that I speak thus. I act upon principle, and nothing but a sense of duty would make me to speak.

"Mr. SMITH—I ask Mr. Stewart to name the parties to whom he alludes as the leal-hearted ministers of the Church of Scotland.

"Mr. STEWART—Oh, their name is legion. (Laughter.)

"Mr. SMITH—In the way in which it was put, I humbly submit that Mr. Stewart was drawing a distinction between certain leal-hearted ministers and others whom he declared to be not leal-hearted. I claim that all the members of the Church of Scotland should be regarded as leal-hearted and true to her interests, till in some way they are proved to be otherwise.

"Mr. MACPHERSON—I think it would be very convenient if Mr. Smith would give instructions to the members of this Court what they are to say. For my part, if he will tell me what opinions I am to express, and what kind of phraseology I am to use, I will consider his advice; but until he does that, I think he should show a little respect to a father of the Church.

"The MODERATOR—We have all great respect for our reverend friend, and we will be happy to hear him.

"Mr. STEWART—Then I would say again, let the leal-hearted ministers of the Church do their duty. Let them exercise the power and authority which belong to them as Presbyterians, and put forth all the efforts in their power to put an end to innovations in the churches within their respective bounds. Let them firmly and determinedly deal with those ministers who have ventured, in defiance of their ordination vows,——

"Dr. LEE—Now, Moderator, I cannot sit to allow speaking such as this from the reverend gentleman. (Hear.) We have before us the merits of an overture to which he is not speaking at all; but he is first telling us that there are some ministers and elders who are not leal-hearted, and then he is telling us that some of us are breaking our ordination vows. If you permit that to be done, there is no appearance of order or decency.

"Mr. STEWART—I am endeavouring to argue as to the advantages arising from this Act of Assembly, and I was endeavouring to show some good effects that might result from it; but I have been interrupted, and of course prevented from

following the line of argument I might otherwise have been enabled to do. I do not wish to hurt any person's feelings; but at the same time I am determined, so long as I am a minister of the Church of Scotland, and as God gives me a measure of health, to do what I can to maintain her principles —ay, even at the expense of life itself. If the Presbyteries of the Church allow innovations to go on unchecked in the churches within their bounds, then, although they may gratify the taste of many in our large cities who wish to substitute the form for the power of religion, they will alienate from the Church of Scotland the great body of the leal-hearted members of the Church, who, I believe, will be led to join some of the other Presbyterian bodies in Scotland, where they will not only have sound doctrine—(cries of 'Oh')—well, I did not say it was unsound doctrine in the Church of Scotland.

"Dr. CRAWFORD—I really beg to suggest to Mr. Stewart that, whether he is quite in order or not, he is certainly not speaking to the point.

"Mr. WALLACE—I think it is much better to allow Mr. Stewart to go on uninterruptedly. He will be the sooner done. (Laughter.)

"Mr. STEWART—Well, I say if these innovations are not put down, which it is the design of this Act to enable you to do, the great body of the leal-hearted Presbyterians of the Church will leave your Church, and join some of the other Presbyterian bodies of Scotland, where the beautiful, simple, and spiritual worship which has so long characterised our Church will be still maintained; and as I am not very hopeful of getting a better or more stringent Act passed, I beg leave to move that Dr. Lee's overture be not transmitted.

"Dr. NISBET said he did not like to meet Dr. Lee's motion with a direct negative. He sympathised with much that was said by him, and delighted to see that he was now in the position of professing himself to be protesting against innovation. It was as refreshing to hear that as to hear a 'head centre' talking about loyalty to the Queen and Constitution. (A laugh.) He was glad to hear the Reverend Doctor was now a conservative, and protesting against interference with time-honoured institutions.

"The MODERATOR—I must really deal justice to my brother

here, and I certainly cannot allow anything of a personal character to be introduced into the discussion."

After much, and some very personal, debate, Dr. Lee's motion was carried, against one of Dr. Crawford's, by a majority of 16 to 13. Dr. Lee was much pleased with his success, and thought it augured well for the possibility of a reconsideration, on the Assembly's part, of its recent legislation, which, however clumsy in form, was in spirit hostile to the liberty of worship, for which he had so long contended.

Any one marking the tone of some of the speakers in the report just quoted, and remembering that for two or three years Dr. Lee was periodically exposed to these charges, taunts, and insinuations from his brethren, will understand how difficult it must have been for him to bear all patiently. A coarser man would have stood the wretched conflict better; but he, sensitive, honourable, generous, unsuspicious, winced amid the rough and cruel wranglings and howlings of the combat, which a harder or a baser man would have contemned or never heeded. And yet he was not tempted to retaliate. "No shabby innuendo," as was well said of him by Dr. Wallace, "no vulgar pleasantry, no foul blow ever disfigured the elegance of his logical fence. Had he done nothing else, he did incalculable good by setting before the rising generation of the clergy the model of an elevated tone and method of public discussion." Nor did he ever befoul his private talk with ill-tongued abuse of his opponents. "I have been on several occasions struck," writes one who met him from time to time "(and I know that others have made the same remark), by the tolerant and courteous tone in which Dr. Lee spoke

in private on subjects of controversy, and likewise of opponents with whom he had had sharp debate. I believe he did not harbour a particle of ill-will against those who, he conceived, had not used him as they ought."

These constant interruptions and strifes, henceforth ever recurring, had one bad effect, from which these pages must suffer, that they so broke in upon his time, that he had little leisure to make any of those records of his more private history in diaries and letters, which have helped us so materially in former years. Records in his diary almost entirely cease, and we can gather little more than scraps of correspondence. Most of that which is extant connects itself with the coming Assembly and the questions likely to be therein discussed, especially the question of subscription. Much correspondence was expended this spring upon this subject. Dr. Lee's idea was to have a Royal Commission issued to inquire as to the subscription presently required from ministers and elders; and this idea was, either by himself or others, pressed upon several influential members of the Legislature, who, although deeply interested in the issue, held different opinions as to the policy of the step. The Duke of Argyll and Lord Belhaven both agreed that any such proposal must first be mooted in the General Assembly, and secure some support there, before it could be profitably brought forward in Parliament. Dr. Lee writes to the Duke on 22nd January:—

"Dear Duke of Argyll,

"I have no doubt that your Grace's opinion is that which would be shared by most people on the first blush of the question, Whether a Commission should now, if possible, be ap-

pointed? I find that Dr. Tulloch partly shares in it. It would be my own opinion also, if we could look forward with confidence, or even much hope, to the General Assembly ever being brought to declare in favour of the appointment of a Commission. But that, after my experience in regard to Lord Aberdeen's Act, I cannot anticipate as at all probable. In this case they would submit to almost anything, but they will declare in favour of nothing, fearing that this declaration failing of its object should recoil upon themselves. I cannot wonder at this policy on the part of men who are conscious of weakness, and have little faith, and no enthusiasm. On the other hand, if a movement were made in an influential quarter without, the aspect of matters would be quite changed. I have no doubt, if your Grace had brought in a bill to change Lord Aberdeen's Act, I might have carried two-thirds of the General Assembly with me, instead of one-third. So it may probably be now. The present time appears to me to be favourable, especially on account of last year's measure in regard to the English Church.* I cannot doubt that in time it may be gained, but it is very desirable to prevent a long and probably a bitter discussion. What occurred to me was something like this:—Some twenty or thirty of the best names in the Kirk should be appended to a petition to Parliament praying for the appointment of a Commission to inquire into the subscription as now required of the clergy in the Scotch National Church. The presentation of such a petition, I hope by your Grace in the Lords, and by some competent and well-affected member in the Commons, would break the ice, would excite discussion elsewhere, and particularly in the Church Courts. From such discussion we should be able to gather what the general feeling in the Kirk is, and whether it might be prudent to go on, or to delay the matter for a little. But I apprehend that if you wait till the General Assembly spontaneously asks the change in question, you may wait a quarter of a century, or for ever. Dr. Tulloch throws out an idea that appears to me to have some reason in it. He suggests that the *whole mode of admitting* clergymen to benefices in the Kirk should be made subject of inquiry, including, of course, the operation of the Aberdeen Act. Your Grace in such a movement would have the sympathy of the best people in the

* 28 & 29 Vict. c. 122.

country, and though in the Church Courts your supporters might be, and would be a minority, yet we should have most of the talk to ourselves; and as we have the ear of the public unmistakeably, the success of your measure could not be long delayed. . . . I have only written to Tulloch and Principal Barclay on the subject of the Commission, desiring first to have your Grace's judgment in the matter.

"Believe me, dear Duke of Argyll,

"Yours, very faithfully,

"R. Lee."

"Lord Minto writes," he says, in a letter to Principal Tulloch, on February 12th, "that he thinks a commission feasible, and that it is full time, and he is to consult Lord Russell, and will tell me what he says. I mentioned, I think, that Mr. Grant Duff is quite ready to move in the matter in the Commons."

"What is the use of civil freedom," he writes to another friend, "if ecclesiastical chains bind men's minds, or rather their tongues and hands? The clergy are upon the whole more to be pitied than blamed; and they cannot liberate themselves. Their redemption must come from without. It only needs a few honest and bold men who understand theological questions and ecclesiastical matters, to secure a greater degree of liberty for the clergy, who cannot at present perform, who indeed, are incapacitated by the State itself from performing, the very duty which the State pays them to do."

He went over to St. Andrews in March to preach a sermon to the students of his old university, and paid a pleasant visit to his friend the Principal of S. Mary's, to whom he writes after his return.

"EDINBURGH, 21*st March*, 1866.

"MY DEAR TULLOCH,

"I have been so much occupied since I left you that I have had no time to write, or, indeed, much to think of the scheme which we talked of. From all appearances we have a tough battle before us, which will be virulent and scurrilous, as all Scotch controversies hitherto have been. As, however, we are unquestionably in the right, we are sure to win, unless we mismanage our case. I understand the Presbytery of Glasgow have notified to Macleod that a motion regarding him is to be brought forward at their next meeting. I confess I apprehend he may commit some mistake or indiscretion in so ticklish a position! I hope he will leave his cause in the hands of others, for it is difficult for any man, even the wisest, to be his own advocate. I am told that the old ministers who used habitually to decline being members of Assembly, are this year generally expressing their readiness to be elected; so, I fancy, we shall have some fine work.

"As to our *project*, my only doubt is whether we are yet ready to proceed with it. Our adversaries we never can convince, they are too prejudiced ever to be convinced, but we may drive them to fury, and this is to be avoided. Upon the whole, I incline to think that we should see what this General Assembly brings forth, before we take any resolution. If they proceed to libel Macleod, then we must take energetic measures, though I still hope they are not infatuated enough for that. Could you learn from —— whether anything is ready which would do as an introduction?

"I enjoyed my visit to you very much. I wish we met oftener. Make my very kind remembrances to Mrs. Tulloch, to Mr. William, and my other young friends.

"Poor Fowler has quickly followed his *contubernalis*.* Both were ambitious, I believe, to occupy the Moderator's chair in

* Rev. J. C. Fowler, LL.D., minister of Ratho, and a determined opponent of Dr. Lee in the Presbytery of Edinburgh. He died very soon after the Rev. Dr. Macfarlane, of Duddingston, to whom Dr. Lee's term refers.

the General Assembly! Alas! may you and I never fall to such ambitions.

"Yours, my dear Tulloch,

"Very sincerely,

"R. LEE."

The "project" referred to was one long entertained, and which, but for Dr. Lee's death, would probably have been realized—of issuing a series of Tracts for the Times, with the view of giving the public mind a right direction in its thoughts upon Church questions. The title of the first was to have been "The present Position of the Church;" of the second, probably, "Churches and Church-Parties in Scotland; reasons for adhering to the National Church:"—"the aim being," as one of the writers, who had agreed to use his pen in this undertaking, sketches, "to show that if the Church can be reconstructed at all in Scotland, it is only by means of the National Church that the thing can be done; Episcopacy being abandoned to a hopeless sacerdotal theory on one hand, and the Free Church and United Presbyterian to an equally hopeless Puritan theory on the other."

The only entry in his larger diary for 1866 is on 29th March, when he writes, "To-day I finished my nineteenth session of college; and on the 30th January ensuing, I shall have been twenty years complete a professor. How many mercies have I received during that long period—how many sins to confess, how many sorrows have we suffered, how much also have I done and enjoyed! I am still, though in my sixty-second year, in good health and tolerable vigour; and my dear wife and our dear daughter are still spared to me. Let

me work while the day lasts; for the night cometh—and to me it cannot be long in coming—in which no man can work." In the same month, writing to a friend in London, he says, "We are certainly going a-head in Scotland—faster, I think, than in England. We have had a visit of Jowett. I should have liked to have him preach for me—and he appeared not very unwilling,—but on consideration we thought that it was safest, in view of the next General Assembly and the issues there depending—to, at least, delay so strong a demonstration."

The Synod met on the 1st of May, 1866, and by a majority of 17 to 13, reversed the decision of the Presbytery in Dr. Lee's case. The old battle was fought over again; and from the decision the usual appeal was taken to the General Assembly.

A dull elder of the Church, not having got his speech uttered in the Synod, printed it as a very needless pamphlet, and sent a copy to Dr. Lee, with the hope that it contained "nothing to wound or give cause for offence." Dr. Lee replies:—

"*May* 21, 1866.

"DEAR COLONEL E.,

"I am not willing or ready to take offence, else I might find abundant matter in your pamphlet. What right have you to infer from my saying I was unable now to commit a whole book to memory—evidently from *disuse of the habit of committing to memory*—that I had 'lost the power of extempore prayer,' and to more than insinuate that I am to be classed among an 'idle and unedifying ministry,' or am 'slothful, and negligent in stirring up the gifts of Christ,' and so am losing them? How do you know that I am an idle and unedifying minister? Do you mean what you say? I am willing to believe that these and other charges and insinuations admit that apology which you very needlessly make for me, that you 'did not mean what you say,' and 'surely your words were hasty,' &c. As I have said, however, I am not ready to take offence, and

am willing to accept your assurance that you intended nothing offensive, either in the above, or in your allusion to '*sensation*' services, and the like. I hope to have an opportunity in the Assembly or elsewhere of showing how entirely wrong you are in all your principal assertions and positions."

By the time the Assembly met, the spirits of Dr. Pirie and his followers were roused to a more vehement resolution than ever to defend, against all change, those usages which existed in the Church, but had no higher licence than the vague sanction of custom. Dr. Lee's unflinching attitude, and the zeal with which a party of clergymen of no despicable influence in character and talents rallied round him, irritated his opponents, and whetted the edge of their hostility. Nor were their feelings soothed by the strains of the score or more of organs and harmoniums which, by this time, were leading the psalmody in parish churches, and which Dr. Pirie's legislation did not succeed in silencing. The "organ movement" as it was called, had made great progress, instead of being quelled, since last Assembly.

CHAPTER VII.

ASSEMBLY OF 1866.—FREE WORSHIP.—FREE THOUGHT.—PATRONAGE.

"Surely every medicine is an innovation, and he that will not apply new remedies must expect new evils: for time is the greatest innovator; and if time of course alters things to the worse, and wisdom and counsel shall not alter them to the better, what shall be the end?"—BACON'S *Essays*, 24.

MANY persons, misled by the extreme notoriety attached to Dr. Lee's restorations in the matter of Church Services, and by the evil speaking of his detractors, have supposed that his mind was totally occupied with ritual—unless, perhaps, a little space in it was kept for "German rationalism." The foregoing chapters ought to have done something to correct this impression, in as far as they have exhibited a just picture of his life. Those who knew him were aware,—and any one who chose to observe his words and acts with intelligence, and not with mere watchful captiousness, might have been aware—that his interest in ritual was only one phase of an interest which embraced every concern and property of the National Church.

An improved ritual was, in his judgment, the thing most urgently needed, in order that a distinct evil and loss might be warded off from the Church, and a fuller justice done to the intelligence and devotion of her members. Hence he strove to produce it, to exemplify it, to establish, beyond reach of arbitrary interference, a congregation's right to it.

The same clear judgment told him that the Church, while suffering injury from her deteriorated forms of worship, suffered likewise from the encumbrance of a too rigid formula of belief, imposed, not on the clergy only, but on the elders too. With the same energy and devotedness, therefore, which he had brought to the vindication of freedom of worship, he entered on the contest for a simpler formula, which was in reality a contest for a freedom of thought, essential to the Church's intellectual life.

Studying the relations of the people to the clergy, and the tendency of opinion and feeling among Scotch Presbyterians as to a congregation's rights in the appointment of their minister, he was led to see that the present law and practice of patronage could not long exist. In the event of any change the hazard had to be guarded against, on the one hand, of absolute popular power; on the other, of absolute clerical control; and he set himself to devise a system by which the Church might change her front to patronage, without exposing herself to either of these perils.

Freedom of worship — freedom of thought — well-balanced patronage, presented themselves to his mind as the three great instruments, by which, if only he could persuade the Church to lay hold of them and use them, her dangers might be thrown aside and her prosperity secured. Under this threefold aspect he regarded the work which he felt called to do for the Church. That part of it which related to worship—first undertaken, most obviously visible to onlookers, most easily laid hold of by gainsayers—became so notorious, that it was identified with Dr. Lee's career, as if that career had included,

or as if he had aimed at, nothing else. And so hard had he to fight in the war which arose around one contested point, and so little peace and leisure were left to him by his assailants, that he could not do for the other causes what he would have wished—dear as they were to him.

In this Assembly, however, the last in which he was to raise his voice, each of these three causes took a conspicuous place; and he was able to plead for each, in its turn.

The question of freedom of worship came first in order, in connexion with the appeal taken by himself and his friends against the decision of the Synod of Lothian and Tweeddale.* The point at issue in the Assembly was a very serious one—not to Dr. Lee only, but to the Church.

A debate affecting the solemnities of divine worship might rationally be expected to be grave and severe in substance and tone. Nature, however, seems to delight in blending in the affairs of men quaint elements, whose presence Reason cannot predict or defend, and which claim an immunity from logical rules. That highest art which comes nearest to Nature copies her in this, and mingles the jests of the fool with the agony of Lear, or the diablerie of the Walpurgis Nacht with the tragedy of Margaret. Either Nature or High Art contrived that the grave discussion upon freedom of worship in the General Assembly should be, at its commence-

* Dr. Lee's impression of the proceedings at that Synod is conveyed in a letter to a friend. "———'s appearance," he says, with the candid criticism which he was always ready to express either by voice or pen, "was indeed pitiable. He has a certain cleverness, but his ignorance is incredible. As for the 'polar bear,' he acts *secundum naturam*. It is certainly a sort of degradation to have to contend with such people. It is evident the enemy has a great deal of organization, and prodigious zeal." The organization was sometimes not the most judicious, but it was effective for its ends, and the zeal never flagged.

ment, irresistibly funny. This result was obtained by the temporary prominence given to a reverend comedian—at that time minister of Stobo — who was appointed to defend, at the bar, the judgment of the Synod. This office Mr. Blake (such was his name) discharged after a fashion so ludicrous, that the Assembly Hall resounded during his speech with yells of laughter. One almost regrets that the dignity of history hardly permits the reproduction of mere absurdities, however diverting. Mr. Stevenson of S. George's, followed on the same side, but in a strain different and superior. "We do not pretend," says an observant critic in those days, regarding Mr. Blake with the eye of wonder, "to assert, that the chiefs of the party cannot do a little better; but this good man's vague and confused intellect conveys to us a glimpse into the depths below, into the man who, moved by some faintly personal motive, or swayed by mere inconsiderate prejudice, or indignant at the assurance of another who pretends to be better than his neighbours, rushes blindly headlong on the innovation. It is to this dead unmusical force that ecclesiastical tyranny of all kinds has always owed its power. Thus, without any evil meaning, a little dull in their intellects, and lazy in their reasoning, with some bit of *amour propre* which has been or is like to be wounded, a faculty for confounding things that differ, and that general inclination to resist and condemn everything unknown to themselves, which prevails so largely among minds of the inferior class, these men do much evil. In this point of view the performance of Mr. Blake of Stobo is a valuable psychological study.

"The reasoning of Mr. Stevenson of S. George's, who did his best to redeem the failure of his *protégé*, and of

the Procurator of the Church, though of course in better form and shape, was in reality little more to the point than the reasoning of Mr. Blake. The existence of a liturgy in the Church of Scotland—the noble and simple outline still preserved under the name of John Knox's liturgy—is a stumbling-block to these gentlemen. It is a fact, a monument, with the date of its period, and the necessities of the period strongly graven into it as with a diamond upon the living rock. To deny its existence would be vain; the only expedient under the circumstances is to say that John Knox did not mean it. He was not a man, according to all we know of him, with so much time to spare that he could give himself to unnecessary labours, or do anything he did not mean; but still that is the only expedient remaining now for the Procurator, who is a lawyer, and ought to know something about the laws of evidence. Mr. Stevenson tried hard to prove from a book 'which he found to have been written by Charles I., but which was believed to have been written by Dr. Balcanquall, well known in Edinburgh,' the anti-liturgical spirit of the Church of Scotland. We do not know who Dr. Balcanquall* may have been, but we have heard of Charles I., and should incline to think him a doubtful authority, even at his least anonymous period. But John Knox and his time are not to the taste of Mr. Stevenson and the Procurator. The Reformer had once a good deal to say in the Kirk, but time has changed all that. John Knox was, so to speak, abolished when the splendid procession of the Westminster divines came down upon the two kingdoms. He

* Balcanqual, Scotch by birth, Dean of Durham, reputed author of "His Majestie's Large Declaration concerning the late Tumults in Scotland." 1639.

was a man of deeds—brief, strenuous, practical. He had but little time to theorise, and a great deal of work to do. Necessity was upon him, and he had his nation and Church to provide for in their daily requirements. When Scotland got a little leisure, and had time to think how fine it would be if she, small and poor and unanimous, converted all England, and made that illogical people one with her, John Knox, who had entertained no such deceitful visions, was pushed gently out of his presiding place. And accordingly there is a more recent authority which is more to the mind of our conservatives. They are but poor conservatives when they dare not face the original, but must pause thus half-way. And yet, even with the Directory, which is their chief if not only authority, it is hard work to make out what it condemns and what it approves of in the way of prayer. It recommends *preparation* of prayers, which is about all Dr. Lee has done, though the Directory has been thrust in his face all these years. If it were discussed in cold blood by a couple of astute lawyers as to what it actually did signify, some real use might be had out of it. In the meantime Dr. Lee quotes it in his favour, and his opponents rely upon it against him; and every clergyman in Scotland (except perhaps Dr. Lee) goes directly in its face every Sunday, not to say on many week-days. This is sorry work. If laws are made for the sole purpose of controversy, as in so many cases they seem to be, it might be legitimate enough; but to be of any real service a law ought to be definite and certain, which the Directory upon this point certainly is not."

Thus wrote the observant critic, looking on, from the external world, upon the feats of the Assembly.

Dr. Lee's case was defended in a long and able speech by Mr. Wallace, one of the appellants, and the foremost of those younger allies who had gathered round Dr. Lee, of late years, in the Edinburgh Presbytery. Dr. Lee himself went over his old ground of defence, at great length, in a speech full of learning, and of incontrovertible argument. The defence, in fact, could hardly alter in substance, though it might vary in form. Again and again he had to encounter no new assault, but just the old charges and insinuations. Again and again had he to retort—"If I have broken the law, quote the law which I have broken. Which is it?" But there was no reply. "If I have violated my ordination vows, as you aver, libel me. It is a tangible offence." But they dared not libel him.

"It is," he said, at the close of his speech, "as disagreeable to me and my family," and there was a pathos in his voice as he said this, "to live in this constant turmoil, and to be perpetually assailed, as it is to other people. If it will satisfy my brethren, I shall disuse my book, either in manuscript or print, though by doing so, not abandoning my right to read my prayers." This announcement was received with loud cheers; and for a little Dr. Lee's friends, though doubting the wisdom of the concession, were glad to think that it had solved the difficulty; and, removing the cause of offence, had put a stop to further proceedings in the "Greyfriars case." But it soon appeared that the concession would not "satisfy the brethren;" and after much ungracious and ungenerous wrangling and disputation, the Assembly finally decided that a committee of the Edinburgh Presbytery should be instructed to confer with Dr. Lee as to his present and

proposed mode of conducting public worship in his Church, and "to take such steps as the result of the inquiry may show to be requisite for the regulation of the services in the said Church, in a manner consistent with this deliverance, and with the law and usage of the Church. This decision was carried by a majority of 147 to 106.

So ended the debate on freedom of worship; in a way entirely hostile to Dr. Lee. The Presbytery, for the first time, found itself formally empowered by the Assembly to search into his doings, and, if necessary, to proceed against him.

The Presbytery of Edinburgh, on the motion of Dr. Lee, and a host of Synods and other Presbyteries, had sent up overtures touching Dr. Pirie's Act of 1865. The general conviction, both among those who concurred in, and those who opposed Dr. Pirie's policy, was that this Act was a dangerous and questionable assertion of power on the part of the Assembly which passed it, inasmuch as it authoritatively handed over to Presbyteries, functions which hitherto had been commonly believed to belong to Kirk Sessions; and at the same time opened the door for any innovation whatsoever, provided only the Presbytery sanctioned or connived at it. Dr. Lee and others, who took what they held to be the constitutional view of the powers of Kirk Sessions and Presbyteries, held that by the "Eldership" of the early Acts of Assembly and Parliament, was meant the Kirk Session and not the Presbytery; the fact being, that Presbyteries, in a modern sense, did not exist till a later date than that of these Acts.* And to the Eldership was entrusted the control

* The Second Book of Discipline was agreed upon by the Assembly of 1578. The first Presbytery was that of Edinburgh, instituted in 1581.

of those ecclesiastical arrangements which Dr. Pirie had transferred to the care of the Presbytery of the bounds.

A protracted debate was expended upon this Act of 1865. The whole question involved was obviously a subject for calm, historical inquiry. The observant critic, who has been already quoted, remarks, *àpropos* of this discussion, "if the Assembly did not want these questions for controversy, but merely wanted to be at the bottom, and know the actual facts, there can be no doubt that its course would be to commit them to the hands of historical and legal experts, lawyers and students of history of the highest class, and have them closely sifted by authorities of undoubted competence. Dr. Pirie's followers may think that the fact of the late Principal Lee having 'read a statement that in all cases where eldership was mentioned the Presbytery was intended,' is a proof of the position; but this is not a generation disposed to accept any man's opinion on any subject of which proof is possible—and proof must be possible in such a case, which is purely one of history. Such matters cannot be brought to any satisfactory conclusion in a popular Assembly; that proof which can settle any question must be the fruit not of a heady debate, but of deliberate investigation. There are books, there are documents, and, though of less authority, there are traditions, by which the question ought to be examined. A thorough inquiry, conducted not in a controversial spirit, but with the calmness of a lawyer examining into a delicate point of jurisprudence, would be of more service to the Church than a hundred noisy discussions, from which no true result ever comes."

The conclusion was not very satisfactory. A new

declaration, explaining the former Declaratory Act, and proceeding on the certainly, to say the least, unestablished and unsatisfactorily proved principle, that eldership means presbytery, was sent forth by the General Assembly as the law of the Church. The regulation of congregations in all their internal economy was thus relegated into the hands of the Presbytery. Elders as yet were to be permitted to visit the sick, and to sit, as one member said, upon cases of scandal; but as for attending to the affairs of their own private household in the Church, that was something beyond their powers.

Dr. Lee's motion for the repeal of the Act of 1865 was lost by a majority of 207 to 94.

The new Act carried by the same majority, and intended to improve upon its unhappy predecessor, ran thus, after a short preamble acknowledging the general exception taken to the former Act:—"The General Assembly Enact and Declare,—That the right and duty of maintaining and enforcing the observance of the existing laws and usages of the Church, in the particular Congregations or Kirks within their bounds, in matters connected with the performance of public worship and the administration of ordinances, belong to and are incumbent upon the Presbyteries of the Church, subject always to the review of the superior Church Courts; and that while needless interference with the government of particular Kirks is always to be avoided, it is, nevertheless, the duty of Presbyteries, when by any legal and constitutional means the alleged existence or proposed introduction of any innovation or novel practice, in the performance of worship or administration of ordinances, in any Congregation, come to their knowledge, to take

cognizance of the same, and after such inquiry as the circumstances of the case seem to call for, or without inquiry, if none appears requisite, either to enjoin the discontinuance, or prohibit the introduction of such innovation or novel practice, as being, in their opinion, inconsistent with the laws and settled usages of the Church, or a cause of division in the particular Congregation, or as being unfit, from any cause, to be used in the worship of God, either in general or in the particular Kirks; or to find that no case has been stated to them calling for their interference; or to pronounce such other deliverance in the said matter as in their judgment seems warranted by the circumstances of the case, and the laws and usages of the Church; it being always competent to submit such deliverance to the review of the superior Church Courts in common form. And the General Assembly do again strictly enjoin all Ministers and Office-bearers in the Church, under pain of censure, to observe and obey the injunctions given by their Presbyteries in all such matters, so long and in so far as the same remain unreversed or unvaried by the Superior Courts."

The next great question which came before the Assembly, was that of Subscription or Adherence to the Confession of Faith. But it was no longer a forlorn hope of Paisley Elders that brought that venerable symbol into dispute. It was no less a personage than the Duchess of Sutherland and Countess of Cromartie. The Duchess of Sutherland and Countess of Cromartie, followed by the Duke of Sutherland and other pious and theological noblemen and gentlemen, sent up a petition to the General Assembly, which bore—

"That your petitioners consider that circumstances have occurred which render it of the utmost importance that you should take such steps as to your wisdom may seem best—

"*First.* For inviolably maintaining the Westminster Confession of Faith as the doctrinal standard of the Church.

"*Second.* For securing adherence to the simple forms of the Church, and for preventing any change from being made in the same without competent authority."

Upwards of five hundred signatures were attached to the petition. Among the first were Anne Sutherland and Cromartie; Sutherland; Selkirk, ruling elder; Polwarth, ruling elder; Erroll; Seafield, ruling elder; G. Grant Suttie, ruling elder; Walter H. Scott, Humbie House; W. Jardine of Applegarth, ruling elder; Robert Baillie, ruling elder; Thomas Baillie, Rear-Admiral; A. Butter, of Fascally; Welwood H. Maxwell of Munches.

The Duchess did not explain what the circumstances were which, in her august judgment, rendered those measures necessary which she besought the Assembly to take; nor did the sundry Presbyteries, which were also troubled at the present aspect of things ecclesiastical, enter into much explanation in their "overtures." In the course of the discussion which followed the reception of the ducal document, some light, however, was thrown on the causes of alarm. The vigorous Mr. Phin, minister of Galashiels, led the way in a species of ecstasy of orthodox indignation at impugners of the Westminster standards, and of respectful admiration of the Duchess of Sutherland and Countess of Cromartie, "the patroness of fourteen parishes." Mr. Phin's line of argument, if we

may use the term, was, briefly, that he was prepared to contend for the Westminster Confession "as the most absolutely excellent statement of Scriptural truth;" and that, though critics might object to it as contradicted in some points by the advancing science of the age, "Sir David Brewster had no difficulty in maintaining it in all its statements." "But perhaps he is but a tyro in science," Mr. Phin added, with fine irony. After this telling argument the champion did not seem to think that any further plea was necessary. If any man stumbled at a standard maintained by the Duchess of Sutherland and Sir David Brewster, the more shame for him. "The Confession is good enough for them, as it has been for their and our fathers; it cannot but be good enough for us." This was the gist of Mr. Phin's argument. He concluded with a motion that the General Assembly "enjoin all the judicatories of the Church to see that all persons who shall have signed the Confession of Faith shall not directly or indirectly depart therefrom, but shall loyally and consistently adhere thereto." Dr. Pirie, following the vigorous Mr. Phin, who had been too reticent, had no scruple about enlightening the Assembly as to the causes of the alarm which had shaken the spirits of the Duchess and Duke of Sutherland, and of the sympathetic Presbyteries which had presented overtures corresponding to the ducal petition. There is no use, said Dr. Pirie, in effect, in beating about the bush, and talking vaguely about attacks on the Confession. The man who has attacked it, and whom we all refer to, is Principal Tulloch. (Now, Principal Tulloch, though present in his capacity of one of the Clerks of Assembly, was not a member of the House,

and consequently could say nothing.) There is an old superstition about the Church being built on the foundation of the apostles and prophets, Jesus Christ himself being the chief corner stone; but Mr. Phin and Dr. Pirie could, apparently, find no deeper foundation for her than the Westminster Confession, which Dr. Pirie avowed he had signed "believing it to be the truth of the Living God." Principal Tulloch's crime was that, not possessing the same measure of belief as Dr. Pirie, he had said of the Westminster Confession that it was impossible to understand it without studying it in the light of its age —that it was not a broad catholic statement, calm, and large, and impersonal for all time, but the marked and characteristic product of a most marked, individual, and warlike age. "Nothing," says our observant friend, commenting on this point, "could be more legitimate than to examine into the Confession and decide upon its character. The document is there and can be judged, whether it is of apostolical breadth and simplicity, or whether it is metaphysical and argumentative as some people say. But such a mode of treatment does not even seem to have entered into the mind of the debaters. The most charitable hope expressed by Dr. Pirie was, that Dr. Tulloch might be able to 'explain away' what he had said—that he might, in short, eat his words, and show how they bore some other meaning which was not on the face of them. This would evidently be a less sin in Dr. Pirie's eyes than the crime of saying that the Westminster Confession was the natural production of a certain age, as the Nicene Creed was. Dr. Pirie would have led the offender to the bar of the House there and then—he would have rushed at

him, lance in rest, while he stood unarmed and unwarned of the onslaught. Fortunately the Church of Scotland, though subject to strange perversities and to unreasoning majorities, still owns the sway of law and order. Dr. Pirie did not have his will. There existed a regular tribunal before which, if Principal Tulloch had gone astray, it would be his right to be judged in the first place; and thus the attempt to enliven the proceedings by the actual sacrifice of a victim came to nothing. The Moderator, in the fit exercise of his office, interposed. And the result of the discussion was, that the Assembly deputed to the Presbyteries of the offenders the duty of dealing with them. When a man takes to himself the privilege of 'venting opinions' in the Scotch Church, he may henceforward look to be 'discharged' by his Presbytery from that unprofitable exercise; and no doubt, if the promoters of the disturbance could carry out their intentions, a repetition of the rude travesty of justice by which Irving, Campbell, and other men were cast out, and the Church of Scotland held herself up to the contempt and indignation of the world thirty years ago, would once more fill all observers with that mingled sense of wonder, consternation, and disgust, with which, out of Scotland, such strange proceedings are regarded."

Violent intolerance, and threats of prosecution, hurled, in a crowded Assembly, at the head of a man who was obliged to sit still and listen, but could make no defence, were, he was not slow to avow, comforting to the spirit of the Rev. Dr. Muir. He said, "I felt very great satisfaction, indeed, from the state-

ment made by the Rev. Dr. Pirie ; and I must say that, if the General Assembly enter, in the spirit manifested in the speech of the rev. gentleman, into this matter, and pursue it as it ought to be pursued, I shall, under all the mental depression which I feel as to the predicament in which our poor Church is at present placed—I shall begin to entertain, under God's guidance, some good hope yet that the Church of Scotland may survive."

Dr. Lee, after saying he did not mean to oppose Mr. Phin's motion, and warning the House against the use of language, which seemed to imply that the same authority was claimed for the Confession as for the Bible itself, continued—

"Would it be profane for us in our present circumstances to come forward to the Assembly, and say that this Confession contains many matters, which, however true, were not yet matters of faith ; that perhaps on some subjects the authors of it expressed themselves in a manner of which we do not altogether approve, and the progress of science may have rendered some of the interpretations of Scripture probable which appeared improbable before science had reached the stage it has now done ? I do not on that account think the less of the Confession, of which as I have already said, I have a very high opinion indeed as a system of theology, and I beg to say that I have perhaps studied it more than most men have done. But I don't like the manner in which it is spoken of, as if it were to be exalted to the same position as the Word of God. In fact, on all hands we find statements made of this description. Indeed, it is very difficult to find a Church outside the Church of Scotland at this moment that has not, in some way or another, indicated this. There is one great Presbyterian body that has renounced one chapter* of it ; and there is another great Presbyterian body who think that chapter of so little importance, that they propose to make a corporate union between themselves and the members

* The chapter on the Civil Magistrate, renounced by the U. P. body, with which the "Free" proposes to unite.

of that other body. Where is the Church, where is the body, where is the sect, outside ourselves, which truly holds to this document in the sense intended by those who formed it? Now, as to the compact between us and the State, it is perfectly true that the Confession of Faith has the sanction of the State and of the law of this country. We need not, therefore, make protestations that we will adhere to it. We must adhere to it. The Confession of Faith is an Act of Parliament; not, I am happy to say, without some proofs, showing that the men who prepared it were not inspired. They have made the most egregious blunders in their applications of Scripture contained in these proofs. Nay, they were so little illuminated that they have quoted passages, not only spurious, but no parts of the Word of God at all, in proof of their assertions. But I say we need not protest that we will adhere to the Confession of Faith. Why, these protestations seem to me to have an ugly appearance, just as when a man protests too much it is a dangerous thing, and tends to bring his sincerity into suspicion. I believe it ought to be taken for granted that, because we are the National Church, and because we individually are members of that Church, we do adhere to the law of the Church, and to the doctrine of the Church as by law established. It is not creditable—it is not to our honour—that we should be throwing about accusations of the description which we so often hear. But while I say what everybody knows, that the Confession of Faith is an Act of Parliament, I am not sure that we are quite correct in all our applications on this subject. I am not quite certain that the State has imposed it upon the Church, in fact, it did not impose it upon the Church; it consented, at the request of the people of Scotland, to sanction it; but I rather think that a court of law would hold that it only sanctions the general doctrine, and does not give its sanction to every particular expression or position in that Confession. For the words in which the Confession of Faith was ratified are somewhat peculiar. I am quoting from the Act of 1690—'Likeas they by these presents ratify and establish the Confession of Faith now read in their presence, and hold it proven as a public and avowed confession of this Church, containing the sum and substance of the doctrine of the Reformed Church.' I think it may very well be argued from these words that the State has sanctioned

the Confession only so far as it contains 'the sum and substance of the doctrine of the Reformed Church,' and that it does not sanction it so far as it may contain, as it undoubtedly does, some positions which are not according to the doctrine of the Reformed Church. I do not say this is the case; but I say it is doubtful whether it be not the case, and I rather suspect that the courts of law, who are the proper interpreters, and the only proper interpreters of an Act of Parliament, would not construe the Confession in any other sense. Then there is another point which gentlemen are apt to overlook. The same Legislature which has sanctioned the Confession in the terms now read, has also sanctioned and appointed the terms, in which the members of the Church shall adhere to that Confession; and I submit to your wisdom whether, if you shall invent other terms of adherence to it, the courts of law would support you. I very much doubt it. Everyone knows that the terms in which ministers are now called upon to adhere to the Confession are very different from the terms prescribed by the Act of Parliament; and I shall endeavour to show there is no legal sanction for this subscription to the Confession at all. The character of the subscription is contained in the Act of Parliament. In this Act for settling the peace and quiet of the Church, and passed in the year 1693, we read as follows:—'And do further statute and ordain that no person be admitted or continued hereafter to be a minister or preacher within this Church unless he subscribe the Confession of Faith ratified in the aforesaid 5th Act of the present session of this Parliament, declaring the same to be the confession of his faith, and that he owns the doctrine therein contained to be the true doctrine which he will constantly adhere to, and likewise that he owns and acknowledges the Presbyterian Church Government as settled by the aforesaid 5th Act of the present session of this Parliament, to be the only government of the Church; and that he will submit thereto, and concur therewith, and will never endeavour directly or indirectly to prejudice or subvert it.' Now, I approve of this very much; but it does not follow that I approve of those additions which the General Assembly, of its own mere authority, has added. It has changed the terms of subscription in several respects, and it has added several clauses of greater stringency. A minister knows the doctrine contained in the

Confession to be the true doctrine, which he will constantly adhere to. But what do you require men to do now? You require them to declare that Presbyterianism is not only true, but according to the Word of God. That is not legal, neither are all these other declarations which you make. If the General Assembly would but listen to the advice of a humble individual who is not the least concerned, I venture to say, for the prosperity and stability of the Church of Scotland, then, in particular, I would seriously advise that the terms of subscription be made literally according to the law. It is from no disrespect to the Confession, and from no disrespect to the Church, that I express my ardent wish that the subscription to be henceforth required from the minister should be the exact one which is prescribed by the law, and not that other one which has been invented. The doctrine of the Church and the government of the Church must go together. You have no more right to add to the one than to the other. The one as well as the other is laid down in these Acts of Parliament which constitute you a Church. I believe a great deal of what has been said on this subject has been said under a misapprehension. It is said some have thought that the Confession of Faith is larger than is necessary. Is there any profanity in holding that opinion? Are not other Confessions of Faith, held by other Protestant Churches smaller than ours? Was not our own old Scotch Confession much smaller? Is there any disrespect to the Church in saying that? I can conceive of none. Another man may think there are some things in the Confession of Faith that are not points of faith. He believes the things stated in it; but he may believe that some of them are not points of faith. Is there any profanity in that? Will any man say that it is necessary for the salvation of Christian men, or necessary for the profession of a Christian Church, to enter into all the critical questions which are contained in the Confession? Would it be anything unreasonable if a man were to desire that critical questions of the kind I have referred to were no longer contained in the book which professes to be a collection of points of faith and nothing more? I do not think there is any profanity in that. On the contrary, I think that opinion may be entertained without undermining the standards—without any perjury on the part of the persons who have signed the Confession of Faith, or any

disrespect to the Confession itself. I think there is a great deal of confusion in men's minds on this subject. Because a man says there are certain things in the Confession which are not points of faith, and are not so regarded either in the Scriptures or in the other Protestant Confessions, therefore he is to be held as an infidel regarding the great doctrines of the Confession of Faith. I shall only add that I believe there is no Church in the world in which there is so *bonâ fide* a belief in its confession as in this Church of Scotland. I know no ministers myself who are sceptical men. Perhaps if such exist, I am as likely to know them as other people. But if such men exist they are not within the circle of my acquaintance. Among the men who lie under suspicion, perhaps I ought to include myself; but I have never written anything in such a sense that I am aware of, and I am conscious in my own heart that I am a most loyal and zealous friend and son of the Kirk of Scotland, and that I have never done anything to withdraw men's minds from it; that I have never turned people away to Episcopacy by introducing a modified Episcopal Prayer-Book as wrongously described by my friend Mr. Phin last night, simply, I believe, because he never read it. I say, whosoever is disloyal in this Kirk, I am not the man. I am quite positive the men who have been referred to are as loyal as any in the Church. We should not be seduced into violent proceedings by any absurd fears which are disseminated about us, and we should not take the advice of our enemies as to what we are to do. The advice of our enemies or rivals may be good and wise, but neither good nor wise for us. It is wise and good for themselves. If we should be persuaded by their interested counsels to play the fool, they will then gain an advantage, but we shall suffer loss. This Church stands upon too firm a foundation to be moved by the petty rivalry of sectarian jealousies murmuring around its base. We can afford to allow them to celebrate the Confession of Faith, and yet to pronounce and publish doctrines which appear to us altogether inconsistent with it. We can allow them to do so; but it is our wisdom, I think, to hold on our own way, to do our own duty, and to show that dignified forbearance towards each other which is extended to honourable men outside the Church. Let us trust each other. Let us not suspect of any one of us that he is a secret enemy waiting to

betray the Church. Let us exercise a generous confidence in each other, and I believe we shall never regret the forbearance."

The opinion of his friends beyond the Assembly, being divided as to the prudence of a commission of inquiry into the Subscription required from ministers and elders, and the temper of the Assembly being hopelessly adverse to a proposal for any such inquiry, Dr. Lee was content to do and say no more.

The debate on the Law of Patronage was opened, in a speech of marked ability, by Mr. Smith, of North Leith, who supported an overture from the Presbytery of Edinburgh, praying the Assembly to take the law into its "serious consideration." Dr. Lee spoke in the course of the debate, and with special reference to the speech of the Rev. Dr. Macleod of Morven, which had preceded his. He said, after some preliminaries,—

"I should have contended that patronage was not the completion of the Church of Scotland, but was rather an unseemly parasite which had attached itself to the structure, and which adds neither to its stability, its completeness, nor its beauty; and back the assertion with the authority of the Church of Scotland itself from a very early day. I am old enough to remember when the controversy regarding the veto was carried on, in which the Rev. Doctor who has just addressed you took a conspicuous part, distinguished by the ability which he always displays; and I remember well that he and other leaders of the constitutional party, as it was called, argued against vetoes and Lord Aberdeen's Act, and all these modifications of the law of patronage in the very same sense, in which the Rev. Doctor has now defended Lord Aberdeen's Act. These modifications, then, were inconsistent with the constitution of the Church, and opposed to expediency. But we are not to forget that we have on our side the testimonies of the highest authorities of the

Church. And I well recollect that a smaller number of cases arose under the Veto Act than have arisen under Lord Aberdeen's Act, and with this prodigious difference, that we knew what the Veto Act was—we knew its principle—and what powers it had vested in various parties. But regarding Lord Aberdeen's Act, we do not know, to this moment, what its principles are. That is a point *sub judice* to the present moment; and the Rev. Doctor is quite mistaken in the account which he gave of Lord Aberdeen's Act. Why, he says the different decisions under Lord Aberdeen's Act are not more inconsistent than the effects that attend the operation of the criminal law—he says, we see that under the criminal law one man is hanged and another man escapes. That does not arise from anything wrong in the criminal law, which takes care that the man convicted of crime shall not escape, and provides that the man who is not guilty shall not be punished. But it is different with Lord Aberdeen's Act, under which you do not know who shall be allowed to escape and who shall be hanged. There are two kinds of provisions in that Act. In the one clause, we are told that no objection not personal to the presentee is to be recognised or given effect to by the Presbytery; and in another we are instructed to take into account the number and character of the objectors. Sir, I remember with what force, clearness, and irresistible power that inconsistency was pointed out to the Commission of the Assembly which was holden to consider that Act, by your venerable father.* He satisfied me and everybody that the Act was totally inconsistent; and, as you may remember, he predicted the difficulties which would accrue from it, and the mischiefs it would induce. I am not speaking therefore without authority, which I know Dr. M'Leod himself will be the first to admit. Dr. M'Leod thinks patronage is to form a bond between the Church and the land. The Patronage does not belong to the land. If it were the proprietors and possessors of the land within a parish who were the patrons, I would think that a very advisable arrangement. The unhappy thing is that patronage has no necessary connection with the land whatsoever. A patron may have not a foot of land within a parish; and it is sometimes the case that he may know

* Rev. George Cook, D.D.

nothing about the parish or its people. It is a right which is bought and sold. And is it not notorious that a considerable proportion of the parishes are in the hands of the Crown, and are disposed of by political influence? I think patronage, as now exercised, is liable to very great evils. If it were in the hands of members of the Church, or of the proprietors of the parish, it might be well defended; but it is in the hands of anybody. It may be in the hands of men who have no regard to the religious instruction of the people. It may be in the hands of men who are not the friends of the Church, and who belong to communions which are in open hostility to the Church; and it is possible that some man may use his political influence so as that it will injure the Church in a particular parish. He may endeavour to thrust a man upon a people, though he himself belongs to a Church whose banner is that no man is to be forced upon a people. I do not want to go into this matter in a controversial way. I have never been an enemy of patronage. On the contrary, if I could secure such a modification of it as would give to the people an effectual power in the choice of their own minister, I should be quite satisfied. I think they are entitled to it. I think it is for their good, and the good of the Church, and the good of society, that that right should be secured to them. And I for one am not willing that they should have an influence which hangs entirely on the pleasure of Presbyteries or Church Courts, but that the law of the land, before the matter needs to be taken into consideration by the Church Courts at all, should secure to them some way of exercising an influence in the settlement of their minister. The people are not, as they were in former times, to be accounted part of the land, and sold with the land. Sir, they can read and write, some of them. The patrons cannot read and write better, nor are they better able to judge what is suitable for their instruction. They have a deeper interest in their own education and instruction than any other men can have. The instruction of themselves and their families is a matter in which they are deeply concerned; and, as matters now stand, they never can have any influence on their own instruction and improvement. You are not secure of the sincerity of the patron, but you are always secure of, at least, the sincerity of the people, because, if they do the wrong thing, they themselves only can

be injured. I do not think, therefore, things are at present in a satisfactory condition; and those who know most of the manner in which patronage is exercised, I make no question, are most satisfied that some change is necessary. Let not Dr. M'Leod suppose we are such fools as to propose to go to parliament, for them to tell us what we want. We have come to you asking you to recognise the necessity which we perceive, and to devise measures accordingly. As to the noble Lord * who began the discussion on the other side, I beg to remind him that Parliament is very apt to listen to proposals and petitions which are founded in any sense or reason —and that sometimes bills claiming extended suffrages and extended powers for the people meet with a very favourable consideration from those learned and erudite personages, not only in the House of Commons, which is under popular influences, but even in the more august assembly of which the noble Lord himself is a member—perhaps more attention than they are entitled to. I do not think, if the Church of Scotland should unite on any judicious or moderate measure, that it is unlikely our legislature should receive our application. They have no interest in resisting the application of the Church of Scotland, or refusing to listen to its wishes. I am always pained when I hear the conduct or feelings of Churches extraneous to ourselves, or their principles or actions, introduced into our discussions. It is a practice that I think does no good. In my opinion, it is not quite dignified, and in some cases I think it leads only to evil. The question which I desire we should propose to ourselves, in a discussion like this, or any other discussion, is—What is best for the Church of Scotland itself—what is most worthy of it as not only a Christian Church, but as still the national Church of the country?—and, instead of laying or suggesting politic plans for drawing our neighbours into our ranks, I would endeavour to do what was most becoming ourselves—what was our duty, what was most just, most liberal, most charitable, most in the spirit of Jesus Christ our Master, knowing very well that the more we act in this spirit the more we shall succeed; for when a man's ways please the Lord, He maketh even his enemies to be at peace with him. I do not like Christian unions which require great

* Earl of Selkirk.

ingenuity to bring them about. I do not regard them as right unions. I know my friend Mr. Smith too well to believe that he had anything in his mind other than what was right in the argument he advanced, but I deprecate it altogether as a reason this way or that way, that we should consult what would be pleasing to other Churches. To be very confidential with you, Moderator, there are some unions which would be to myself personally extremely disagreeable, and which would make me, if they are consummated, take my hat and seek refuge somewhere else."

The result of the debate, in which Dr. Lee and Dr. Pirie found themselves speaking and voting on the same side, was the adoption of a motion by the latter, to the effect that the Assembly "having respect to the advantages that would accrue from a modification of the law of patronage in present circumstances, appoint a Committee to inquire into the subject, and report to next General Assembly." The Committee was appointed, and is incubating still.*

This was the last speech made by Dr. Lee, in the House whose debates he had for many years dignified and adorned.

The results of the Assembly, upon the whole, were not encouraging to Dr. Lee, or to any friend of rational reform. To quote again from our critic of those days :—

"The General Assembly, now over, does not furnish much ground for rejoicing, in whatever way we look at it. Instead of a wise forbearance—a wise waiting until some of the problems of the day shall have worked themselves out, or had time to give proof whether they are from God or not—it has fallen back into the lamentable precedents so largely furnished by its

* April, 1869.

recent history. It has seized by the throat everything that looked like a new-comer, indifferent whether the stranger might in reality be its oldest friend or an angel of God. It has done its best to exaggerate and bring into miserable prominence that power of meddling and over-legislation which is the great danger of Presbyterianism. It has armed every man with a weapon against his neighbour, and cheered him on to use it. If the presbyteries of Scotland were to carry out the impulse given them by it, no sound but that of ecclesiastical warfare would be heard in Scotland from one end to the other. Unwarned by the great convulsion from which it has so lately come forth, it has begun once more to throw about threats of 'depositions,' of 'disruptions,' and all the familiar crimes of the past—*crimes*, as whosoever looks at Scotland and sees her unity impaired, her national dignity ruthlessly sacrificed, and the great rent that divides her, cannot fail, if he has unprejudiced eyes, to perceive.

"And yet the Church of Scotland, could she but recognise it, is now in a better position than she has occupied for generations. One of the great parties which have contended within her bosom has swept out from it like a volcano. Her wounds are healed, her ranks filled up; and, for the first time for two hundred years, the third party, which cares less for ecclesiastical punctilio than real progress, has had room and space to make its influence felt.

"The questions now opened up are no longer political, as was the question upon which the Church was formerly rent asunder. They do not deal with cases in the Court of Session, nor appeals to the civil magistrates; but make their appeal to Christian wisdom and reasonableness, to well-considered historical precedent, to the true welfare of the Church. So far as the last Assembly could, it has made an effort to rush back to the old ways—to get up a new fight, and effect if possible a new schism—and proclaim to the world that ecclesiastical bodies, like despots, never learn,—'the longest exile never cured a king.' A party which is swayed by Mr. Phin, which upholds the Confession of Faith by such an argument as that Sir David Brewster believes in it; and proves the ancient temper of Scotland out of a book written by Charles I., and thinks it right to alter, in an important point, the constitution of the Church,

because the late Principal Lee said so, is perhaps not a party susceptible of argument; yet the warning of 1843 is so recent and so great, and even the oblique light thrown upon its own proceedings by the exaggerated folly, in one point at least, of other proceedings carried on at the same time in another Assembly, is so vivid, that they should make between them a not ineffectual lesson.* If the Presbyteries of Scotland rush into conflicts as they have been permitted and requested to do; if they assail every man his neighbour and every man his brother for his organ or choir—for his prayers, or the manner in which he says his prayers—for the sentiments which he may express, in conversation or otherwise, about the perfection and infallibility of the Confession of Faith; even certain past persecutions by the Church, of which every intelligent member of the Church is heartily ashamed, will be thrown into the shade. But though a majority in the Scotch Assembly has made these unenlightened and despotic divisions, Christian feeling and common sense still exist, let us hope, among the Presbyteries of the Church.

"It is not an unusual piece of clap-trap to say that 'the eyes of Europe are upon' certain persons in certain situations. We do not wish to speak so big; but yet there is a public of Christendom, an audience of nations, to whom it is of interest and importance how a national Church acquits herself. The world is full of heavy and serious affairs in these days. Great convulsions and disturbances are looming in the future. Are we, while others are so gravely occupied, to hold ourselves up to the universal eye as at leisure for a hundred petty squabbles about matters of detail? Every Church which has existed for long enough time to have a history has permitted to a certain extent the development of individual sentiment within her bosom. In the Roman Church, which is sufficiently, among ourselves, the impersonation of despotism, there are differences twice as great as the wildest dream of innovation in the Church of Scotland; and the same rule holds in the Church of England. It is an unwise master who demands from the most loyal servant a perfect and continual obedience. Obedience is in the spirit, not in the letter; and they who permit no personal development,

* The greatest debating in the "Free" Assembly of this year was over a printer who had been excommunicated, because he had to do some work for Monday's paper on the Sunday night.

no power of personal government, be they kings, parliaments, or Churches, are the enemies of all true subordination, and destroy all possibility of honest and thorough obedience to themselves."

Though the Assembly had been hostile, Dr. Lee never had a warmer and more thorough sympathy and support from his friends and the public than he had at this time.

One letter may be quoted as an instance. It is written by a distinguished and well-known gentleman, whose access to the opinions and sentiments of the enlightened laity was much fuller than that of Dr. Pirie or Mr. Phin could be.

"'Dr. Pirie,' he says, 'or somebody else, challenged his opponents to produce, on their side, such a petition as that of the Duchess of Sutherland and others, on his. There are obvious reasons why very many men, lovers of peace in the Church, as elsewhere, should be reluctant to answer that challenge. But I write to say that I am ready to join any band of good men who will come frankly forward and declare the sentiments, which I know to prevail very widely, against the principles and measures which seem in favour with the present General Assembly. Is there no way? or rather, what is the best way, for making known to the supporters of Dr. Pirie, Dr. Muir, and the Procurator, that they are lamentably ignorant of the feeling which prevails among the influential laity of the Church, both in town and country districts? viz.: that all this resistance to a little ornature in our Church-service in matters non-essential is simply lamentable humbug: that there is a desire widely spread for a sober improvement of our very bald and uninviting form of service: that much of it is in non-essentials æsthetically wrong, and on that account fails in its effect: and that the best way to correct this sin in its constitution is to let clergymen, congregations, and presbyteries, work at the reform by degrees, each according to their lights, so long as they do not affect the essential parts of Church doctrine and Church discipline,—which

I do conscientiously think has been amply and again and again proved, by your expositions and practice, to be attainable. I groan for my own Church which could thus so easily and so safely add allurement to its qualities, without sacrificing an inch of its grand simplicity. And I really and honestly believe that nine-tenths of my many acquaintances partake of my sufferings."

The feeling expressed in this letter was so general and strong, and so desirous were Dr. Lee's friends both to declare their sympathy with him, and their protest against the reactionary tone of the Assembly, that it was resolved to find some way of doing this before those who had come to Edinburgh for the Assembly should leave town.

Dr. Pirie, flushed with triumph, was *en route* for the severe shades of cold Aberdeen: Mr. Phin, radiant with success, was about to seek the congenial society of the "braw braw lads of Gala Water," when "medio de fonte leporum surgit amari aliquid." A public breakfast, at Slaney's, of friends of the Church of Scotland was announced and held, with Dr. Lee in the chair and Principal Tulloch in the vice-chair. The talk at this reunion was not such as to gratify Dr. Pirie and Mr. Phin. It was a kind of sting which they had not calculated on finding in the tail of the Assembly.

Dr. Lee, after breakfast, spoke first, by way of opening the proceedings. After making a little game of the Duchess of Sutherland and Countess of Cromartie, he said, coming to a more serious tone:—

"I think the sentiment that unites us is this, that the Church of Scotland is not only a venerable but a most valuable institution, and that it should not be allowed to perish by the mere

action of time and dilapidation. All institutions whatsoever must be repaired: as in our individual capacity we ought to grow in grace and become better from day to day; so also in our ecclesiastical relations,—the Church ought to grow better from day to day. Many things may have been tolerable, or even necessary, in a different state of society and in older times, which are not necessary now—which are not proper now—which are now an obstruction instead of a help. In the State everything has been adapted to changing times; and what is the result? The nation is prosperous beyond all example—beyond all imagination; the people are not only comfortable, but rich beyond the dreams of former generations. They are better educated, and I hope they are becoming wiser. The grosser vices at least are diminishing—descending always to lower and lower strata of society:—and following this analogy, the Church may be and ought to be made better; and this is the reformation and progress which is incumbent upon us as a body in which there is life, the very property of which is to grow and to expand unto perfection. I was induced to begin the course which I have followed with so much support and sympathy, by feeling that the Church of Scotland, unless something was done effectually to improve it, would lapse into nonentity, and that it was our duty as faithful sons of the Church to prevent this—to work upon the principles of the Church, not to import other principles or practices, but to improve our own principles and practices so as to adapt the Church to the wants of the times—to make it a representation of the intelligence and religion of Scotland, and to have an ideal before us, that we might go on unto perfection. That, I think, is our motto, 'Forgetting the things that are behind, and reaching forth unto those things which are before,' that we may become better and wiser; and if we do so, we shall deserve to become stronger, and we shall become stronger."

The other speakers were Principal Tulloch, Professor Milligan, Dr. A. K. H. Boyd, Mr. W. Smith, Dr. M'Leod, and Mr. Wallace.

In speaking of Toleration, Dr. Tulloch, no longer muzzled as in the Assembly, said:—

"A body of Christian ministers who belong to the same Church undoubtedly are under obligation to a common belief. We are pledged, by our adherence to the Confession of Faith, to certain truths: but the question immediately arises—What is the amount of this pledge? And it must be an open question what this is. We were told—and I think quite correctly—in the General Assembly the other day, by Dr. Lee, that we are committed to the substance of the reformed doctrine; that what was really meant by our second reformers, as well as our first reformers, was that a national Churchman in Scotland was pledged to the 'sum and substance' of Christian doctrine as understood by the Reformed Church, and as preached by it, against the errors of that Church within which the Reformation began. When a man feels that he is no longer in sympathy with the main doctrines of the Reformation, then he is no longer entitled to remain in the Church. Should he doubt or deny the great doctrine of salvation through Christ—through the life and death of our Lord—and feel that he can no longer preach it as a living Truth for human good, then he cannot consistently abide in a Church which is founded upon this Truth. But it is not to be denied—history proves that there have grown up in all Churches, and have got into their Confessions, many matters which do not in the least degree belong to the faith—which are critical, political, or speculative—and therefore, in their very nature, are matters of opinion, and not of faith—with reference to which you cannot get men to think alike. Do what you will they cannot agree on such points; and any Church which will not recognise a fair, enlightened, charitable, latitude regarding them cannot well survive. In such an age as ours especially, it seems impossible that a Church, which will not admit of fair differences of opinion in matters which belong not to the substance of the faith, but which from their very character excite controversy, and suggest differences, should live; I have no wish that it should live. In the past, with all our strictness of Creed, there has been great practical freedom within the Church of Scotland. Differences of opinion, and contrasts of thought, have been tolerated regarding many such matters as are supposed by some to be definitively, and for ever, settled in the Confession of Faith? If you recall the history of the

Church, you will be able to point at every period of it to different classes of theologians, and to different modes of thought, which the Church has willingly embraced—willingly keeping within itself the different gifts of different minds, so that they might preach the living truth which they all believed. Only think of the time when such men as Leighton and Rutherford were both members of our Church; and any one who has studied the lives and writings of these men must have been struck with the enormous differences of their spiritual and theological views, as well as of their personal character. There is no doubt that the Church found Leighton in some degree intolerable on account of the higher thoughts which he cherished; but for a long time he remained within it, and it was by his own voluntary act at last that he left it, when he could no longer co-operate with the prevailing party. It is very well known that during the whole of the last century there were men in the Church holding very diverse views of Christian doctrine. Principal Robertson and Dr. Erskine both preached in the same Church, and were good friends all their days, although Christian truth was in some respects a different thing to the one man from what it was to the other. There is no reason to believe that these men did not alike discharge their duty to God and to the Church, holding forth the Word of Life with equal good faith as it presented itself to their minds. And what remedy is there if you will not grant this amount of toleration? If you will not, within certain limits grant freedom of inquiry, and the natural results of freedom, what help have you? The Church has no resource but the tyranny of temporary majorities; and the more its history, and particularly the cases of those men who have been arraigned for what is called heresy, is looked at, the more will it appear that they have been sacrificed—not to a jealous watchfulness for the truth of God—not to an earnest and loyal feeling that they were doing harm to the truth; but sacrificed under the mere impulse of sectarian zeal, because the dominant party at the time would tolerate nothing but their own interpretation of the truth. What minister, of any culture, and liberality, does not feel that the darkest stains on the history of the Church of Scotland are those unhappy years when, under the commencing enthusiasm of that movement which ended

in the disruption, Edward Irving and Mr. M'Leod Campbell were expelled from it? Who will say that these men were expelled under a holy regard for the truth of God? I will venture to say that some, who took a leading part against them, were really more heretical towards this truth than either, having far colder feelings of the love of God towards His sinful children, and far more imperfect apprehensions of God's mercy in Christ, and of Christ's work for sinners. Yet they did not hesitate, out of that impulse of intolerance and love of party predominance which so readily becomes overbearing, to compass their violent ends. And has the event not proved an unhappy one? Do we not feel ashamed of it now? Are not these two men exercising in our time an influence such as not one of those who opposed them is exercising? And do we not feel, which is the main thing, that their influence is a Christian one?—that it is an influence not against the truth, but for the truth; that their words have brought a living feeling of God's message to many a heart that might otherwise have been a stranger to the love and to the knowledge of it?

"There is one other practical point to which I wish to advert. It is often said, 'Inquire before you enter the Church. It is a most solemn step you are about to take. Inquire before you enter, for after you are within, the doors of inquiry are shut, and you must not do so.' Now I think that is far from a comprehensive view. It commends itself to a supposed feeling of worldly honour. But I think that, in the light of any larger experience, it is quite untenable. Remember the time of life at which men enter our Church—when men must enter any Church. The springs of living thought in most minds are not awakened at the early age when they necessarily enter. A man requires to get into his work—to become a living minister in his parish to sick and dying souls, before he begins to realize the fulness of the truth for himself or others. He does not know his own needs till he has some experience of the difficulties of thought and the sorrow and trial of life, and a higher culture in every way; then only do the springs of thought open in his mind, and he feels how much larger the circumference of truth is than he once knew—how much higher, and greater, and more embracing than his earlier vision imagined. . . . . You must work institutions, giving play to human

nature—giving play to the impulses of inquiry that are in all human minds; you must work institutions in this way, or, as our friend Dr. Lee has said, these institutions will break asunder in your hands. There is a strong feeling amongst many eminent men, that if there is not free play for the impulses of Christian thought within our National Churches, these Churches are not worth preserving. It is a mistake to suppose that the Church of England is any better than we are in this respect, although it may seem to be better. The private and the official powers of restraint, in the Church of England are tremendous, although there is apparently a legal scope there which we have not. We must have in both Churches a wider and more clearly recognized freedom, if these Churches are to grow strong with the widening intelligence of the country. No man loves the Church of Scotland more than I do. I will make no parade of my feelings, but it is impossible for me to say how much I feel attached to it; but there is one thing I feel attached to more, and it is the right of a Christian man, in the light of God's Word, to search the truth for himself, and to declare the truth in this light under the teaching of God's Spirit. It is for these ends that the Church is in existence. If it does not allow this freedom, I confess that the Church would cease to interest me, and I could not have the affection for it which I now entertain. They talk of putting men out of the Church. But it would not be hard for me and for many to leave a Church if convinced, with these men, that a certain measure of freedom of inquiry was hopeless within it. I will not believe, even after all that has happened, that this is hopeless. It is because I cherish the confidence that a time of higher Christian freedom is at hand for all our Churches, that I retain my position, and will retain it until I see my duty in some other way."

"If there should nothing more come out of this gathering," said Mr. Wallace, "than simply our coming to something like a mutual understanding as to the paramount importance of this great principle of ministerial freedom, I think this gathering will not have been called together in vain. It will not be in vain if it should be the means of stirring us up to pay more attention to the importance of the principle—to study more pro-

foundly the conditions of its legitimate exercise—to defend each the other in his fair and proper use of it, and to diffuse to the best of our ability a proper understanding of its theory; for I am persuaded that the opposition which comes to those of us who understand and strive to promote this principle, from many quarters, arises not so much from malignity as from the fact, that those who are the patrons and practisers of the opposite principle, the principle of coercion and repression, have not yet come to that full and comprehensive understanding of the safety and the value of the principle of individual freedom, which continually results in complete confidence in its utility."

Before the party broke up, Dr. Lee spoke again. It was the last time that many of us, who were there, were ever to hear his voice in public; so that it seems a kind of pious duty to record his words.

"I have listened with a great deal of pleasure to the speeches which have been delivered. They have been very harmonious in spirit, and that is all we have desired. They have been distinguished by a charity and forbearance which our adversaries themselves would have acknowledged if they had been here. I should like to regard the Church of Scotland much more than we are in the habit of regarding it, as the Church of the nation, and as the property of the nation. And I am not prepared—I am quite sure you are not prepared—to deliver it into the hands of a sect. It is the Church of the nation, and when it comes to be the Church of a sect, it loses its proper character. I desire to remember that while I am under obligations to the Church, I am also a citizen of the State—I am also a member of the State. The Church is established by Act of Parliament; and I am at liberty, as a citizen of the State, to petition for a change or an abolition of any Act of Parliament whatsoever. While in one view we are Churchmen, on the other we are members of the community. Let us not speak of leaving the Church. I will not allow to get into my mind what Principal Tulloch spoke of as a possibility. We have had the experiment tried often enough—and too often—of curing the Church by seceding from it. We must view the Church as a

great national institution, which is not to be delivered up into the hands of any sect or party. I beg also to say, that I do not like the idea of a party. I do not like the word in connection with our movement. We are not a party, and we won't be a party. We will identify ourselves with the Church and the nation so far as we can, with Christian truth, and Christian sincerity, and Christian earnestness, and, above all, with that which is essential to all this—Christian liberty, without which there can be no truth and no Christianity in the midst of us. The excellent observations made by my friend Mr. Smith are very reasonable,—that we should endeavour to do our work in our parishes, and work for the promotion of the schemes of the Church. We are met here to speak freely our minds, and I believe one reason why a number of congregations have not contributed so much to the schemes of the Church as they might otherwise have done, was their sense of dissatisfaction with the principles and with the spirit, which often had predominated in our ecclesiastical assemblies. Their sympathy with the Church and with these objects has undoubtedly been cooled by this; and I, for one, will say that the true way to make people sympathise with the Church is to endeavour that our services in the Church be such as shall interest, impress, satisfy, and instruct them. It is in vain to extend a Church if the services in that Church interest nobody. We must seek to make the service of the Church such that people feel they are the better of it—that it is an advantage to them to attend it—that it is necessary for them; and the moment they feel that this bread nourishes and strengthens them, they will become anxious that others also may receive it, and be strengthened and nourished by it also. Our opponents know that this movement is not a small thing. It is the movement of mind—it is the progress of intelligence—it is the awakening of the conscience of mankind refusing to be satisfied with shams. I hope that we shall show tolerance towards others who differ from us, of which we receive so very little, and that we shall judge others in a manner in which they have not often judged us. Let our own sufferings, let the obloquy to which some of us have been exposed for years, teach us how hateful is that intolerant temper which many men mistake for Christianity. Let us endeavour that all things be done with charity. Let us not attempt to

hasten our neighbour's progress by knocking him down. I believe that, if we act in this spirit, the blessing of God will rest upon us. Men will see that we are following the steps of the Great Master, and that we have faith in the doctrines which we profess; and being right as to our principles, if we maintain these in a right spirit, I cannot doubt that those of us who are oldest may live to see them predominant in the Church, and the Church itself doing that great work for which Churches are established—making men wiser and better."

CHAPTER VIII.

SUMMER OF 1866.—THE SEASON OF PHIN.—RENEWED PROCEEDINGS IN THE PRESBYTERY AND SYNOD.—HOSTILE DECISIONS.—OPENING ADDRESS TO STUDENTS.—FINAL PROCEEDINGS IN PRESBYTERY AND SYNOD.—LETTER TO MEMBERS OF ASSEMBLY.

"The assumption of pre-eminence and pride has always displeased us in the papacy; and can tyranny please us in a free Church? A free Synod among Christians hath hitherto untied the knots of controversy; why should everything now be referred to the pleasure of one or two individuals? Where the liberty of voting and speaking prevails, the truth is vigorous and flourishing." —*Zurich Letters* (*Parker Society*)—*Laurence Humphrey and Thomas Sampson to Bullinger.*

It sometimes happens, in the physical world, that an exceptional visitation affects the whole character of a season, and so stamps itself upon the memories of men that for a while long after, they speak of that season as associated with the special phenomenon which marked it off from others. That, they will say, was the season of the great drought, of the dreadful floods, of the cholera, of the cattle plague, of the comet.

Were we, in like manner, to distinguish the summer and autumn which followed the General Assembly of 1866, we should speak of them as the season of Phin; meaning thereby that in the ecclesiastical firmament the star of Mr. Phin was at this time in the ascendant, and seemed, for a short period, to swell to the size of an orb of the first magnitude. Mr. Phin's injunction to be loyal to the Westminster Con-

fession was on the table of every Presbytery; Mr. Phin's note of alarm was re-echoed in many a simple-minded country parish; Mr. Phin's policy was discussed in half the newspapers in Scotland; Mr. Phin's exuberant loyalty to the standards of the Church, stimulated by the memory of the breakfast at Slaney's, burst forth afresh at a meeting of the Commission of Assembly in August, and with the cry—The Word of God itself in danger—stirred up the smouldering fires of the *odium theologicum*.

Meantime Dr. Lee pursued his usual course as to the services in his Church. He had offered to lay aside the reading of his prayers, "if it would satisfy his brethren," but it had not satisfied them, so he had not laid it aside.

The Presbytery of Edinburgh were not slow to follow out the injunction of the Assembly.

On 27th June, Mr. Stewart led on his "reserve of pikes" again; and moved that a committee be appointed to enquire into the mode in which public worship was conducted, and in which Dr. Lee proposed to conduct it in future, in Greyfriars Church. Mr. Wallace proposed as an amendment that any enquiry, which should be made, should be conducted, not by a committee, but in open Court, and by means of written queries and answers. Mr. Mathieson's erratic convictions led him to second this amendment; and it was lost on a division by 16 to 11. An appeal was taken to the Synod, so that no farther progress could be made until November, when that Court should meet.

Dr. Lee came down for part of the summer to the West coast, visiting us at Rosneath, and the Boyds and

his friend Mr. Simpson, at Skelmorlie, where he was charmed with the pretty church, the organ, and the choir; and enjoyed, as keenly as ever, the beauties of the coast, the blue crests of Arran beyond the shining Firth, and the busy movements of the varied shipping. Later, in the autumn, he went to Birnam. I find one or two of his letters bearing that date. This one is to Mrs. Leckie Ewing, after her husband's death—a friend whose house at Arngomerie, in Stirlingshire, had been one of those which Dr. Lee was wont to visit with the greatest pleasure. It is dated August 28 :—

"I need not say how long your dear husband and I were acquainted, and how warm and cordial a friendship subsisted between us. We cordially loved him ever since we knew him; and I think none ever knew him, without loving him; and all my intercourse with him, without exception, was pleasant and cordial—so that in his death I have indeed lost a friend. But why do we suffer ourselves to say 'lost,' as if we forgot that nothing that is good is ever lost or can be? They are stript of dying bodies, their infirmities and sufferings,—that they may truly live—which, at the best, we do but partially in this world. They are united to Him who is risen from the dead and liveth unto God. Let us, therefore, rejoice in the hope of the glory of which they now partake, and which also is prepared for us, if we endure to the end. We have been here for some time, and propose staying two or three weeks longer. Mrs. Lee has been poorly most of the time, and is so still. She unites in warm sympathy for you and all your family. Napier is well and unites with us. Alas! what a small family we are, but dear Napier is very dutiful, and labours to cheer up her mother's heart, which is heavy in general. God bless you, my dear friend, and sanctify to you all that is sent to you.

"Your affectionate friend,

"Robert Lee."

I had written to him suggesting that, in his opening lecture for the next session, he should take some notice

of one of the Rev. Dr. Wordsworth's addresses, in which that reverend gentleman had, as usual, devoted himself to arguments about the blessings of Episcopacy, and the duty of Scottish Churchmen conforming to the Episcopal Church. He replies from Birnam on September 18th :—

"I do not think the opening address a very suitable opportunity for replying to Bishop Wordsworth. Nor, to say truth, do I consider myself called upon to stand forth as the spokesman and apologist of the Kirk on the present occasion. Though Wordsworth has quoted my words, he has not in any way misused or misapplied them, nor has he treated me with any disrespect. The men whom the Church chooses year by year to moderate in her General Assemblies, are they who are called upon to speak for her,—if they are not qualified to do credit to her or themselves, that is her affair. Besides, you remember, my dear friend, that you and I defend the Kirk, not as it actually exists, but as it should be and may be made ; and if I should undertake its defence against Bishop Wordsworth, I should make admissions which a majority of our brethren would repudiate. Besides all this, I should not begin a controversy with Wordsworth, unless I was prepared to go through with and fight it fairly out, which I have no leisure nor any inclination to do. My other duties forbid it. Upon the whole, a man, whom the General Assembly is willing but afraid to condemn, is not the proper person to speak in the name of the Kirk."

Writing a little later, he says, apropos of his suggested plan for augmenting small livings :—

"Seat rents appear to me a useful institution, if rightly managed and rightly applied. The English movement (against them) seems to me great folly. *The emptiest Churches have no seat rents.* . . . . . Do you know any clever preacher who would not object to become minister of a *liberal* chapel in England, on £150 a year, and more, if he could gain it, which I think he easily might? Only he must be innocent of two

great transgressions, *tobacco* and *beard*. Who wrote that admirable letter which appears to-day (October 27) in the *Scotsman?* Russel has gone sadly wrong in that matter.* I am writing an opening lecture for the Faculty, but I cannot please myself. I fear I shall make an uproar."

The lecture was delivered on November 8, at the opening of the Theological classes, and treated of the "Clerical Profession, some of its difficulties and hindrances." † It was one of Dr. Lee's most characteristic productions. Though he knew he stood in peril of the most hostile treatment from the Church Courts, and that it was of much importance that he should conciliate their hostility, he would not disguise or withhold his opinion on what he believed to be a question of vital concern to the Church. Accordingly, he never spoke with greater fulness and frankness about "liberty of prophesying" than on this occasion. After referring to the declining influence of the clergy, which he ascribes in part to the growing education of the people, and in part (in England at least) to the sacerdotal theories recently asserted with revived force—superstition always preparing the way for disbelief, and ultimately for unbelief, he speaks at some length of the effect of the mental and moral training of which a priest of the Catholic Church is the subject. He comes then to the case of candidates for orders in the Protestant Church. He quotes the words in the preface to the Scotch Confession of 1560 :—

* The late Archbishop of Canterbury's escapade at Inverness, where the primate of all England laid the foundation stone of a new Episcopal chapel, called by its promoters "The Cathedral of Moray and Ross," and made a rather silly and ill-informed speech about the growth of Episcopacy in Scotland. Dr. Lee strongly disapproved of the Archbishop's doings, which the *Scotsman* defended.

† Published in 1866, under the above title, by Edmonston and Douglas.

"We protest that if any man will note in this our Confession any article or sentence repugning to God's holy Word, that it would please him of his gentleness, and for Christian charity's sake [to] admonish us of the same in writing; and we, upon our honour and fidelity, do promise unto him satisfaction from the mouth of God (that is, from his holy Scriptures), or *else reformation of that which he shall prove to be amiss.*" He then goes on :—

"These words are worthy to stand at the head of every Protestant Confession of Faith, if only to mark the point of departure from Catholicism—the confession of *fallibility* against the arrogant and absurd assertion of *infallibility* advanced by the Church of Rome—and also to serve as a protest and warning beforehand against any attempt to exalt such documents in the Protestant Churches into the same place which they hold in the Catholic Church. For every such attempt, however disguised, is only to turn our backs upon ourselves, to undermine the foundations of Protestantism, and to look lingeringly to those beggarly elements of tradition, to which, notwithstanding all our loud denials, we desire again to be in bondage.

"I do not indeed deny that the men who prefixed those words to their Confession were very far from discerning their full sense, or even suspecting what they implied. On the contrary, our Reformers held that to teach heresy, to say Mass, and even to celebrate the Sacraments in what they chose to consider an irregular manner, were crimes worthy of death, (see First Bk. of Dis., x. 6, and xvi. 2, compared with Shorter Form, xx.). Like their Catholic adversaries and their contemporaries of all parties, they were persecutors on principle : and it is evident that they would have been persecutors also in practice, had not Divine Providence mercifully withheld from them the power of acting out their theories, and vested it in other hands, which, in their opinion, did this work of the Lord too negligently, if not also deceitfully. So that, in penning the solemn appeal quoted above, the Reformers were really begin-

ning to be wiser than themselves were aware. Their words contained a parable the meaning of which neither the writers themselves nor their readers then understood, though God has graciously revealed it to us, for whom he has 'provided some better things.' The Lords of the Congregation, by their lukewarmness and worldly policy, saved the character of the Reformed Church of Scotland, so that it enjoys the rare and blessed distinction of being a Church from the beginning unstained, or almost unstained, with blood.

"The Protestant divines everywhere succeeded by means of the Civil Power (to which they ascribed a very high authority in ecclesiastical affairs) in having the communities they had formed erected into national Churches, and their creeds recognised as the only standard of Christian faith, and in having conformity with those creeds and Churches enforced by civil pains and penalties. For it is remarkable, and may appear to us unaccountable, that they all, or nearly all, agreed with the Catholics in holding that for two Churches to co-exist in the same country was monstrous, or even impossible—as much so as for two States to co-exist, and that such schism was at all hazards to be repressed. We are not able to conceive how men who had so boldly asserted for themselves the liberty, and even the duty, to rebel against the authority of the Church of Rome, should have been unable to perceive that other men had the same right to resist their pretensions and to question their decisions. Notwithstanding, they clothed themselves with the same kind, and almost the same degree, of spiritual power which had been, during at least a thousand years, arrogated by the Catholic priesthood. They constituted themselves and their communities judges of Christian faith and duty—not for themselves alone, but for all other men—at least within the realms in which their Churches were established by law.

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"Ecclesiastical jurisdiction among all Churches and sects builds upon the same foundation; and the *thing* has died out among most Protestant Churches, though the *name* still survives.

"Those ideas, and that state of the world to which they belonged, are passed away, we hope never to return. They are now as impossible as the belief of witchcraft among civilised

men. We feel disposed rather to smile than tremble at the mention of a Presbytery, a Bishop, or a Pope, retaining or remitting sins. This thunder, once so awful, terrifies no more, having been found to be mere noise, without lightning or thunderbolt. Men can now hear themselves 'delivered unto Satan for the destruction of the flesh' with composure, knowing well that Satan will not take delivery, and that neither spirit, soul, nor body will be destroyed or hurt, or any way affected. Yet the Reformers, as much as the Catholics, assumed that such functions pertained to them, and to the Church ordinarily and permanently;—whereas facts have demonstrated that those powers were indeed miraculous and temporary, as much as gifts of healing, speaking with tongues, discerning of spirits, or raising the dead to life. But we are all too slow to understand language which appears to lower our office and to diminish our self-importance.

"You come here, gentlemen, in the character of Christians; young men who believe that Christianity is the true religion, that it is 'the truth' revealed by God to men for their salvation; and you are desirous to understand this truth as it is revealed, and to propagate it in its purity. You are children of the light. You do not enter upon these studies to fortify yourselves in certain prejudices which you may have taken up at random, or on the authority of ignorant and prejudiced persons much concerned for your temporal prosperity, or to qualify yourselves for professing certain doctrines, which you are predetermined at all hazards to profess, for the purpose of gaining a livelihood and a professional position. As students of Protestant theology, you begin and pursue your studies here with quite different aims, and in a quite different spirit. 'Ye are children of light and of the day.' You seek light; 'whatever doth make manifest' *πᾶν τὸ φανερούμενον* is welcome to you, whether it confirm, or whether it refute, your old opinions and hitherto cherished convictions.

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"If spared to assume the office of the Christian ministry, you will urge your hearers to accept, profess, and act upon certain facts and doctrines, not because you, or the great body of men of your profession in this and other ages and countries,

assert and maintain these facts and doctrines—that is, you will not make your exhortations to faith and obedience rest upon the authority and word of a body of men of the clerical profession, calling themselves 'The Church,' but who enjoy no means of knowing and judging in the case but such as are open to all other men of equal capacity and learning. But you will seek to convince them by the power of truth; you will urge them to search, consider, weigh the reasons which show that what you hold and teach is the truth, and has its authority, not from any man or body of men, not from any Church or state, but from itself, or rather from Him whose word it is, and who is 'the God of truth.' If this be the manner in which you as Protestant, or, I should rather say, as Christian teachers, will hereafter feel yourselves constrained to treat your hearers, in no other way can we, as teachers of theology, feel ourselves called upon or warranted now to treat you as students of theology.

"The professor has here before him a set of persons who come to him in the character not simply of believers or of persons seeking conviction; but they are so possessed with this conviction that they consider themselves as having a vocation to propagate it among their fellow-men. What they must be understood to seek, therefore, is to be further instructed in the nature and properties of that religion of whose truth and importance they already have a confident persuasion. The student is as yet uncommitted to any particular system of Christian doctrine: he has neither signed nor been invited to sign any Symbol, Creed, or Confession. He still holds the place of an inquirer and a learner. It may happen that upon a closer inspection of the doctrines he came here to study, and a better understanding of them, he may like them less, and be less disposed to profess them, or, at least, to take upon himself the office of a teacher of them, than he was at the beginning. This is not only conceivable, but it has very frequently happened; and it implies nothing unchristian or immoral, or even, if we consider the obscurity and difficulty of many of the subjects, very wonderful. The theological professor is not to attempt to take the student out of his own hands, to relieve him of his own responsibility of investigation and of judgment, or of any part of it. He himself also is a scholar, inquiring

what is true and good in matters of religion, and using for this end the resources of his own learning, and those of all others, so far as they may be within his reach ; and it is his duty, and should be his aim, to assist the students who may resort to him to pursue for themselves the same inquiries, in the same spirit.

"Such being the position and the duty of the theological Professor, it is the part of those under whose academical jurisdiction he is placed, to provide that he may enjoy all advantages and assistances for a thorough and fearless performance of his work ; and that all obstructions may, as far as possible, be taken away, especially those which would render his efforts nugatory, and, indeed, superfluous. For to investigate, to ponder, and to reason, when we have for ourselves, or when others have determined for us beforehand, the conclusions at which we must finally arrive, is indeed a laborious farce, and a solemn mockery.

"The Professor, so hampered, would no longer occupy the seat of a *judge* whom the public has appointed and pays, independently to study the law, impartially to look at both sides of each case which comes before him, and without fear or favour to pronounce judgment, but an *advocate* who may indeed be personally upright and candid, but who has been engaged and fee'd by one of the parties to say all that can be said in support of his claims, and in opposition to those of the other party, and to whose professed opinions in the case no one gives any weight, any more than to those of the party whom he represents ; for his are understood to be official, not personal, judgments—those of an advocate identified with one of the parties, not those of a judge, whose duty it is to look impartially at the cause as it stands in itself, and to know nothing of the parties, or of their prejudices, prepossessions, passions, or interests. It is, indeed, possible that an advocate may be convinced that the side he maintains before the court is the just and right one ; nay, it is within the bounds of possibility that he may have examined the case thoroughly and even impartially. This is conceivable, at least ; but such sublime and even supererogatory virtue is so exceptional that it should be regarded in the light of a miracle ; for it is irreconcilable with the ordinary laws of nature. These things being so, it has sometimes appeared to me wonderful that men who profess a

great zeal for truth should manifest no zeal for that freedom of speech without which truth cannot flourish or prevail, but should rather raise a clamour and otherwise offer all the opposition they can against any efforts which are made to increase or secure that blessing. It surely requires no argument to prove that without liberty, by which I mean liberty of speech (that liberty which secures the promulgation of new, uncommon, unpopular doctrines from penal consequences), progress in truth is not to be expected, and in ordinary cases is impossible. Because martyrs are an elect, and also a select company, extremely few in all ages, and perhaps becoming fewer as the world grows a more comfortable dwelling-place, and human life becomes a possession of greater value; and even such men are apt to listen to the casuistry of prudence counselling that 'some truths are not great enough to buy at the cost of reputation, position, and even subsistence; for, though truth be the pearl of great price, every truth is not so valuable that a man should 'sell all that he hath to buy it.'

"We hear on every side a call for greater liberty—greater freedom of speech. This is becoming more and more the characteristic of our times, and chiefly of very recent times. And, in certain quarters, this is systematically represented as a product and manifestation of unbelief, either *partial*, which is heresy; or *general*, which is infidelity. But is this the interpretation which we should put upon that phenomenon of the time? To me it appears not only false, but absurd. The demand for liberty is only the demand for *truth* in another form. And they who care nothing for liberty, but are willing to sacrifice it, both other men's and their own, and to submit patiently to restrictions of it equally unnecessary and pernicious, contrived in rude and barbarous times, when men, even Christian men, as yet knew nothing of liberty either of thought, speech, or action, in religious matters, but dreamt only of supremacy—claimed for the true Church (*i.e.*, themselves) the authority to judge for the Churches not true (*i.e.*, all other people), and to punish dissent, heresy, schism (*i.e.*, all manifestations of liberty), as at once crimes against society and rebellion against God's ordinance;—I say they who are content to submit to such restrictions—which are the badges of intellectual bondage and are now productive of nothing but evil—are men

who, if they do not hate truth, which I hope they do not, at least care nothing for it; and they would be equally quiescent whatever the doctrines were to which they had committed themselves; as we see in all Churches and sects, Greek and Latin, Catholic and Protestant, Lutheran, Reformed, and all other. 'Let us alone' is the common cry of all alike—'let us alone to serve the Egyptians and enjoy our leeks and onions, our melons and cucumbers, our chains and brick-making, in peace.' This indifference about liberty of speech, or even this repugnance to it and dread of it, betray, I fear, in many cases, something worse than mere indifference to truth, even that worst form of scepticism which imagines that *error* is stronger than *truth*—that there is a power in darkness which makes it master of the light—that *evil* is mightier than *good*,—in other words, that 'he that is in the world,' *i.e.*, the Prince of darkness, is greater than 'He who is in the children of God'—contrary to Scripture, to piety, to reason, and to common sense.

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"When men's consciences shall be more awakened and more enlightened than they now are, or have ever yet been, the demand for greater freedom for the members of the clerical profession will become irresistible. It is becoming so already. Christian men will ask, Who gave our ancestors, five, three, or two hundred years ago, authority to judge and determine theological questions and controversies for us and all their descendants, as well as for themselves? We commend them for thinking and judging for themselves, and against the former generations and the Catholic majority of their contemporaries. Who has taken away the same power and privilege of judging from us? Does it satisfy us that our fathers were free men? Should it reconcile us to wear chains which others or ourselves have forged, that our fathers burst theirs asunder and cast them away? The Jews pleased themselves with the boast, 'We have Abraham to our father,' but they disgraced that noble parentage; for they 'walked not in the steps of Abraham,' and so they forfeited the better part, and the best evidence of sonship.

"In these times no class of men can possibly have, or should have at any time, any real weight and authority in guiding opinion, unless it occupy a somewhat independent position. Prisons and fetters are for the lawless and disobedient, for

thieves and murderers, and all those abandoned classes who exist and thrive by injuring their neighbours and disturbing society. Christian teachers, we hope, do not deserve or need to be so guarded, confined, and pinioned,—they are not set upon perverting the truth, corrupting religion, seducing the people, so that they should be required by law to swear, at the beginning of their professional life, that they hold not only the great Articles of the Christian Faith,—which are both very simple and very few,—but a positive and categorical opinion regarding many hundreds of propositions which they have not had time to weigh and study; much less that they should be required to swear that they will so think on all those points which they now are required to profess '*during all the days of their life.*' For my part, I think much too well of my professional brethren to believe that they need to be sent forth to preach and teach, thus loaded with irons, being, in a very different sense from S. Paul, 'ambassadors in chains.' In his case the body only was ἐν ἀλύσει, 'but the word of God was not bound,' the soul was free, also the tongue."

This address naturally did not tend to soothe the alarms of Mr. Phin and his friends, and provoked from them much adverse criticism. At the same time, it was received with hearty approval in other and wiser quarters.

"I came," writes one enthusiastic minister of the Church, "from the foot of the Grampians, to listen to your opening lecture, assured that you would not fail to say something that would give me assurance that ere long ministers would be sent forth to preach and to teach, without being 'loaded with irons.' I was not disappointed. The very ideas, which I have held and taught for more than twenty years, were given forth by you with a perspicuity, force, and beauty that delighted and refreshed my soul. . . . I do trust that your genial Catholicity will prompt you to forgive my thus intruding on your notice."

"It is a brave and true word;" says a prominent minister of the "Free" Church, who had not had much cause to rejoice in *his* share of her freedom, "none more needed in this age. Sad that in a Protestant country it should need courage to assert the fundamental idea of Protestantism! Yet to that we are now come; and the tyranny of sects and traditions will not be broken without suffering and trial and loss by some. Meanwhile I thank you for an ably reasoned and beautifully written paper, wise and fitting in every way, and not without a certain quite proper adroitness, which I half envy."

Lord Dunfermline writes:—

"Dear Dr. Lee, I have to thank you for having sent me a copy of your Address.

"I thoroughly and entirely go along with you in all that you say on the question of freedom of thought.

"If education is to be of any service, and to lead to a greater development and exercise of the human intellect, it is impossible to prevent the extension of the freedom of thought to a similar amount. That entails at the same time increased liberty of speech, without incurring the risk of being counted a heretic or an unbeliever.

"Bigots, fanatics, and ingrained educated priests, may, and will, no doubt, find such a state of things extremely disagreeable; but however much they may fret and fume, intellectual progress will be sure to conquer them in the end.

"This your Address clearly points out to the students; and I do not doubt that amongst them, you will have touched the minds of many willing scholars. You will have contributed to form a considerable body of honest independent thinkers, and seekers after truth; but will that body be likely to recruit the Church so long as it imposes its present fetters, and that greater liberty is not accorded? My feeling is that the brunt of the battle should be borne by the laity. If they seriously put their shoulders to the wheel, they have the power to bring

about a better state of matters. I have no faith in any Church honestly reforming itself from *within;* from Wolsey to the present times such attempts have always proved failures. Luther, no doubt, is an exception; but even he, powerful as he was, would hardly have succeeded without the help of the laity. Have you seen a book of Essays, published under the express recommendation of the Archbishop of Canterbury, and the Bishops of Oxford and Salisbury, called, I think, 'The Church and the World'? I have not seen it myself, but I am told it smells terribly of Roman Catholicism.

"Lady Dunfermline told me that you nurtured the good intention of driving out some fine day to have a crack. Pray do. —Yours very truly,

"DUNFERMLINE."

Shortly after the delivery of this address, we find him, for the last time, on the platform of the United Industrial School, of which he had been the constant friend, advocating under another phase the same liberal principles which animated the pages we have just read. He said, in the course of a brief speech :—

"We cannot forget that this School was established not only to effect a certain good, but what we estimate as a yet higher end—to assert a great principle. As has been well observed already on more than one occasion, it was intended as a protest against sectarianism, and the assertion of the doctrine that every Christian man, that every man, ought to judge in the matter of religion not only for himself, but for his offspring; and that it was totally contrary to the genius of the Christian religion, and repugnant to justice, to tempt a man by any pecuniary boon, by any temporal advantage, to relinquish what he himself thought to be true. While I rejoice at the great benefits this School has undoubtedly conferred, at the good which has been done, at the unquestionable fact that many hundreds of young persons, who probably would have been left to ignorance, to vice, and to ruin, have been redeemed by its exertions, and have become intelligent and useful members of society—while I rejoice at that undoubted good which the School has effected, I value it more

highly on account of the principle which it asserts, and especially I look to the importance of this School, chiefly in connection with the question of a system of national education. It is very true that a great deal is done for the education of people in this country. Every man must rejoice that it is so ; but we cannot shut our eyes to the fact that there still remain a great number of people—more than any one would believe who do not frequent the houses of the poor—who are yet in gross ignorance, whom the present system of education and educacational institutions does not reach, but who are left still in brutish ignorance and in vice. It is not an individual here and there, it is great masses of people found not only in London, but in every great town in this country; and I for one would be very unwilling to sit down satisfied with that state of things. I think it surely is possible to advance a step further than this, and I think it is the duty of the society in which such a class exists, and which punishes them when they commit crimes, that it should give them, if they do not receive it otherwise, that education and that instruction which shall enable them to discern what is their duty, and to know that sin and crime ought to be punished. Instead of that taking away the liberty of individuals, it seems a necessary condition of their being capable of liberty. Men cannot be free when reduced to a condition which in a great measure puts them outside of all law, educational, moral, civil, and divine. I therefore value this School chiefly in this point of view. It has solved the great question whether or not it be practicable to educate the people, without interfering with their religious convictions. It has been constantly repeated, in Church Courts and elsewhere, that that kind of education is impracticable ; but when the thing has been shown to be done, it requires great hardihood in any person to say that. The fact that in this School numbers of children are educated as well as in any parish school or other school in the country of the same kind, and are as intelligent regarding common matters, and as intelligent, at least, regarding religious matters, and especially in the knowledge of the Bible—that this has been effected without interfering with the religious convictions of any one—this demonstrated success ought to put a stop for ever to all the vague nonsense about impracticability or impossibility which we have heard. I

confess this is the reason why I think this School has bestowed an inestimable benefit upon us all; and I have no doubt, when the question of national education comes to be considered by Parliament—as I hope it soon may be—the results obtained here will weigh much with our legislators, and all men who are prepared to admit the teaching of experience. As in our opinion the success of the School has justified the anticipations of its founders, it has done all the good which could reasonably have been expected, and is calculated yet to effect a great deal more; and in connection especially with the larger question to which I have alluded, we see no reason whatever for departing from the principle on which it is conducted, but determine to adhere to it, and to carry on the School with increasing vigour and efficiency."

The decision of the Synod, when the appeal came before it in November, was adverse to Dr. Lee. By a majority of 23 to 10, it sustained the motion made in the Presbytery by Mr. Stewart; and a committee was accordingly appointed to confer with Dr. Lee, of which Mr. Stevenson, of S. George's, was the convener. Writing to me in the evening, Dr. Lee said, "I hope now to have an opportunity of giving an explanation of my conduct in regard to the sentence of 1859, which will satisfy all who are capable of satisfaction, and will, I presume, silence the rest. We had an exquisitely witty and telling speech to-day in the Synod from Wallace—with what result you will see."

The committee, on 13th February, 1867, reported as follows:—

"The committee have to report that after conference held with Dr. Lee, he lodged with the Convener a document entitled, 'Answers by Dr. Lee to Committee of Presbytery,' &c., embodying all the facts, which, according to his opinion, the Presbytery are required by the judgment of the last General Asembly to inquire into. Besides the facts referred to, this document, which the committee now lay on the table of the

Presbytery, contains sundry explanations with the view of showing that, by the course he has pursued, Dr. Lee has not contravened the judgment of the General Assembly of 1859, or any law or usage of the Church, and that, even if he had, succeeding Assemblies had by their proceedings condoned any fault which might be imputed to him in regard to non-compliance with the injunction of the Assembly of 1859. With these explanations, however, it is beyond the province of this committee to deal, the only duty devolved upon them being simply to inquire into the facts of the case, and to report them to the Presbytery.

"The facts are as follow, and as far as possible they are stated in Dr. Lee's own words:—

"1. Dr. Lee states, 'The injunction of the Assembly of 1859 was literally obeyed by me. The book in question was discontinued in the service of Greyfriars' Church, and the prayers were read from manuscript.'

"2. 'The use of a book was not resumed till the winter of 1863;' and the book which Dr. Lee 'began to use in the winter of 1863 was not the same as that which had been forbidden in 1859, though founded on it. Unlike the earlier volume, it embraces a psalter containing selections from the Psalms, Paraphrases, and Hymns, with the names of tunes to be sung, with each arranged for congregational use.'

"3. 'Since the last General Assembly prayers are not read in Greyfriars' Church from a book.' But Dr. Lee has informed the committee that they are read, and that they are the same as those which he read from the book which was in use in Greyfriars' Church prior to last Assembly. This book is still in the hands of the congregation, and in general use by them during public worship.

"4. With regard to the second part of the inquiry—viz., the manner in which Dr. Lee proposes to conduct public worship hereafter—he says, 'I have to state that it is not my intention to make any alteration unless legally compelled.'

"Although the terms of the injunction of the last General Assembly would warrant an inquiry into all the parts of public worship as conducted in Old Greyfriars' church, the committee have limited their inquiries to the subject of prayers, that being the only subject before the Assembly when it issued the injunc-

tion, and being also understood to be the only matter remitted to the Presbytery for inquiry."

Mr. Stevenson, at the request of the members of Presbytery, also read the following statement made by Dr. Lee to the Committee :—

"I understand the matter, respecting which the Presbytery is required by the General Assembly to inquire, to be the one point of *reading of prayers from a book*, and not to extend to any of those other innovations (so called) which were condemned by the Presbytery and by the Synod, but which the General Assembly, 1859, declined to censure or notice in their judgment.

"This judgment of the Assembly, 1859, does not censure the reading of prayers in general, nor does it forbid me to read prayers. It censures only the reading of prayers from a certain book (in manuscript or in print) which was before them; and it prohibits me from continuing 'the use of the book in question in the services of my church.' What is more remarkable is, that I am commanded to discontinue the use of the book in question only in my own church.

"It is true that in the same finding of the Assembly, 1859, I am enjoined 'to conform, in offering up prayer, to the present ordinary practice of the Church.' But this injunction has no meaning in a judicial sentence, which gives no information as to what may be meant by 'the present ordinary practice of the Church,' and which, in its previous clauses, already quoted, appears to recognise any way of performing public prayer as the 'present ordinary practice' except that 'reading from a book' which it had censured. Considering the variety of modes in which prayers are prepared and offered, I am not aware of any mode of 'offering up prayer' which can be truly described as 'the present ordinary practice of the Church.'

"This injunction of the Assembly, 1859, was literally obeyed by me. 'The book in question' was discontinued in the service of the Greyfriars' Church, and the prayers were read from manuscript; though I was well persuaded, as now I am, that the finding of the Assembly was incompetent and illegal, founded upon no statute or authoritative custom, and proceeding upon

a total misapprehension of the history and the laws of the Church.

"The use of a book was not resumed till the winter of 1863, more than four years after the decision above referred to was pronounced. The General Assembly of that year had given a deliverance (26th May, 1863), which appeared to me to be a distinct departure from that of 1859, and a virtual confession of the incompetency, or at least the inexpediency, of the latter.

"This conclusion was strengthened by the judgment of the General Assembly, 1864. This judgment appeared to me to be almost a formal absolution from any obligation lying upon me to observe the finding of 1859, inasmuch as it not only refrains from censuring my conduct, but was carried by a very large majority (161 to 64) against a counter motion, which proposed to censure and deal with me.

"Whatever may be said respecting the judgment of 1859, I think no candid person who studies the proceedings of the Assembly, 1864, can doubt that by these the Assembly condones any fault which might he imputed to me in regard to non-compliance with the injunction of the Assembly, 1859.

"As to 'the manner in which I propose to conduct public worship hereafter,' I have to state that it is not my intention to make any alteration, unless legally compelled. I am firmly persuaded that no law of the Church has been violated by me in this matter; not even the finding of 1859 in its strict and literal—that is, its true—import; but if I had, the General Assemblies 1863 and 1864 have fairly exonerated me. The practice of reading prayers has been continued without interruption more than nine years, with the full cognisance of the Church Courts during nearly the whole of that time. The congregation, so far as I know, unanimously and decidedly approve of the worship so conducted; and any innovation upon it would be offensive to them. Considering these things, I am not without hope that the Church Courts will be induced to refrain from further interference with this mode of conducting public worship; the more so as it has been the occasion of no dissension or division within the congregation, has not dispersed the worshippers, does not interfere in any degree with the liberty of other ministers, nor has occasioned any other evil or inconvenience, directly at least.

"I may here add, in explanation, that I am willing still to discontinue the practice of reading from a book if that shall be insisted on. I shall be sorry if it is; for the distinction between reading from a book and reading from manuscript seems to be little better than a quibble, unworthy to be insisted on or recognised by a Church Court. It appears to me that no course is open to the Church Courts but either to permit or to forbid the practice of reading prayers absolutely, whether from a manuscript or a printed book.

"I am concerned to learn that some persons have understood me as having unconditionally pledged myself, at the last General Assembly, to abstain in future from the use of a book in public prayer. I beg, however, to recal to the minds of those who were present that I gave no such unconditional pledge, but only expressed my willingness to abstain from the use of a book in future *on the understanding* that this was accepted as satisfactory. And, accordingly, in the words in which I concluded my speech on that occasion, this condition was distinctly expressed. My words, as correctly reported in the Edinburgh newspapers, were as follow:—'As I am most anxious not to be misunderstood, I will repeat that I do not surrender the right to read my prayers in some other manner; but, if it will satisfy the brethren, I am willing from henceforth to relinquish the use of the book in prayer in public worship.' But this did not satisfy the brethren; the motion which they carried immediately afterwards was a formal expression of their dissatisfaction.

"I wish here to give an explanation which may be necessary to remove misconceptions that I have reason to know exist in some quarters, and I shall do this in words quoted from the third edition of the 'Prayers,' 1863:—'It may be proper to add, in order to prevent misconception, that these prayers are not designed to form a ritual in any sense, the author leaving to himself full liberty to add, omit, or alter as he may judge convenient, and not attempting to interfere with the liberty of any one who may occasionally assist him. He desires that the following prayers may be regarded as aids to devotion for himself, or for any of his brethren who may avail themselves of them, either as to ideas, arrangement, or language, as they have an unquestionable right to do, if they think proper, to any extent.'

"January, 1867. "ROBERT LEE."

On the 14th of March the Presbytery met to consider and adjudicate upon this report and statement. Mr. Stevenson and Mr. Stewart, as usual, took the lead, and proposed a lengthy deliverance to the effect that the Presbytery find that Dr. Lee had not obeyed the injunction of the Assembly of 1859, and now require him to yield obedience to it, and to conduct the prayers of his congregation in a manner consistent with the *laws and usage* of the Church. Mr. Wallace moved that the Presbytery should find that there was no case calling for their interference. After a debate in which some of his former supporters turned round and opposed him, Dr. Lee spoke at considerable length.

"They had been told," he said, "again and again that this discussion was a very narrow one. He agreed in that opinion. It was broad enough, however, to admit all sorts of unchristian and unseemly insinuations, and he might be permitted to express his wonder at the extreme patience and forbearance of the Presbytery in allowing one of their number to be slandered in this manner*—to be held up to the public as a man without conscience—a man without the fear of God—without regard to decency—and not a member of the Presbytery having the sense to stand up and call to order. He thought that in no other assembly of gentlemen would such an outrage on the feelings and character of an individual have been permitted without one word of rebuke."

Adverting to the remarks made by Mr. Stewart, he said,—

"For aught he knew, Mr. Stewart might go to the pulpit without even thinking of what he was to say; for aught he knew, he might use the same prayers all the year round. He did not say that that was the case, but it was quite supposable."

* By the Rev. Dr. Nisbet, who had just spoken.

Mr. STEWART.—"Come and see."

Dr. LEE.—"Mr. Stewart says—'Come and see.' I make him this promise, that whenever he is arraigned before the Assembly for doing anything inconsistent with the laws and usages of the Church, before I sit in judgment upon him, I will both see and hear him. I will set an example which neither he nor those who have acted in this case have seen proper to follow. If they had done so, in my opinion their sentiments and conduct might have been very different from what they would otherwise have been. Even clever men cannot afford to act in ignorance. Mr Stewart said I ought to return to the simple and beautiful worship of our Church. Why," continued Dr. Lee, "the Church had no worship. Let him not be misunderstood—the Church had no worship. The worship might be beautiful and simple and all that in one church; but it did not imply that the worship in the next church was beautiful and simple. The worship was what the ministers made it; and at this moment they had 1200 different worships, some of them simple and beautiful; but a vast number were not beautiful, and those who thought them simple must themselves be simple. He was not bound to obey or comply with the feelings of his brethren. He respected them; but he was not bound to comply with their feelings. He was not bound to comply with their injunctions; he was only bound to comply with what he believed to be the laws and constitution of the Church. What he had to do with was the laws and constitution of the Church; and if by these he was not to be judged, then he would say that the Church of Scotland was not a constitutional body, but a mob. If that way of judging was to go on, the Church of Scotland had not a constitution, but was merely a body of men who took to themselves the privilege of making their own customs and their own feelings the laws. He thought, however, the common sense of this country was too strong to permit them to act in that way. He had already said—'Make a law forbidding the reading of prayers absolutely and I will obey that law, or I will cease to be a minister of the Church.' Why did not the gentlemen who were ever maligning him make that law, instead of putting him in the position of asserting not only his rights, but the rights of everybody who said that they would be judged only by the laws and constitu-

tion of the Church? No man need exhort him to give up this thing or that. He knew he was right. If the General Assembly did not acknowledge him, he had no doubt that the final resort which they in the Established Church had would maintain what he held. The giving up of his own liberty was not much. He could very easily get himself out of his dilemma. Perhaps it might be consonant to his feelings, but he felt that he was advocating the rights and liberties of every minister of the Church. It had been said it was a mere quibble, to make a distinction between reading from a book and reading from manuscript. He acknowledged it was a quibble, but he did not invent it; it was the invention of the General Assembly. He would never have given up the reading of the book except by the numerous remonstrances of friends, who endeavoured to convince him that giving up the book would satisfy everyone He told them at the time it was a quibble, and asked what was the difference between reading from a book and reading from manuscript. They said there was a mighty difference. Well, he replied, if they thought so, he would put the book aside. These were the considerations which made him consent to give up the use of the book."

In referring to the findings of 1863 and 1864, and the statements as to the peace of the congregation and the peace of the Church, he said "there were certain people very much disturbed about the Annuity Tax Act, which was of their own concocting and devising; and their argument was that it was disturbing the peace of the community. These very gentlemen were very industrious to break the peace. They got up the opposition and agitation on which they founded their objections to that Act. They pleaded that the peace was disturbed, but they were the only disturbers of the peace in question. But for their perverted and unhappy industry there would be peace. In the same way with regard to the questions before them, there was no one heard against the so-called innovations except a few persons in the Church Courts. A great many people sympathised with these innovations, and by-and-by there would likely be more. He was sorry that he should give so much disturbance to this venerable Church of Scotland; and that he should so much hurt the feelings of his brethren. He would be quite frank with them. It had seemed to him that for a long course of

years the Church of Scotland had been getting into great danger; that it was losing its hold more and more on the people—especially on the upper classes of the people; and that everything ought to be done not inconsistent with her laws to have such a worship as would be more attractive and more agreeable to the body of the people—certainly to the more educated of the people. The view he had taken to uphold the Church to the best of his power, in spite of all the trouble and danger that might arise, did not permit him to stand quietly by; he felt bound to do everything he could to prevent an evil, and to give the Church of Scotland a better hold on that intelligence of the country, which at last ruled everything. If he had done what others had done—what some of his prosecutors, he might call them his persecutors, had done—if he had folded his hands and emptied his church, nobody would have found fault with him; no dog would have wagged its tongue against him; and he would have been allowed to go on humdrum to the end of the chapter. He did not understand that when he took his vow he was bound to keep up any *custom*. He understood his vow was to do what he could to uphold the *Established Church;* accordingly he set himself to do what he could to uphold it; and every man knew that that was his motive. He was not seeking his own glorification, or popularity, or notoriety; he was seeking to do his little to uphold the Church, and to make it more popular; and he might, without presumption, be permitted to say that the experiment, so far as it had gone, had been perfectly successful. If the General Assembly put this down with a strong hand, on them rested the responsibility. He would suffer no loss, or very little; but the Church might suffer much loss by a strong and repressive legislation; and he trembled for the effect such a course might have."

The reactionary party, augmented by one or two new and unexpected recruits, was again in the ascendant in the Presbytery, and Mr. Stevenson's motion was carried by a majority of 23 to 18. The majority consisted of eleven ministers, among whom were Dr. Crawford and, unhappily Mr. Smith, of North Leith; with twelve elders. The minority consisted of eleven ministers, and seven elders.

The clerical members were thus equally divided,—the preponderance of reaction being found with the lay members.

Against this decision Dr. Lee and his supporters appealed,* on the ground that the decision was unnecessary. To quote the words of the appeal—"Prayers are already conducted in Dr. Lee's congregation in a lawful manner. By the proceedings and finding of the General Assembly of 1864 on the Report upon Innovations, the injunction of 1859 became inoperative, except in the case of 'the harmony in Old Greyfriars' congregation, or the peace of the Church in general being disturbed.' No such disturbance of harmony or peace having been proved to the Presbytery, it is incompetent to apply the injunction of 1859."

In the usual course of law this appeal would have stopped all proceedings until the Synod should have dealt with it. But Dr. Pirie's legislation had changed all that. According to the Acts of 1865 and 1866, appeals were no longer to have the power of arresting the procedure of a Church Court. The culprit was to yield, or obey, or suffer, at once, in spite of all appeals. This was Dr. Pirie's law; but Dr. Lee did not believe it to be the law of the Church, although hastily adopted by the Assembly. He did not see that the Assembly had the power of making radical changes in the constitution of the Church, by the vote of a majority, after a few hours' debate. He accordingly made no change in his customary way of conducting the service. This reached

* "Appeal" expresses the proceeding most simply. The technical phrase in ecclesiastical law is "protest for leave to complain;" *i.e.*, to the Synod.

the ears of his watchful brethren; and at a meeting of Presbytery, on 27th March, Mr. Stevenson asked if Dr. Lee had obeyed the injunction given on the 13th of that month, as to the services in his church. Dr. Lee, in reply, maintained that the question was incompetent, as his appeal had not yet been dealt with; and an appeal should "sist procedure," according to the practice of the Church for the last 200 years. "Farther," said Dr. Lee, "I maintain that I have done nothing, last Sunday or the Sunday before, contrary to the laws and usage of the Church. I am not seeking to disguise anything; but I stand here for the established order of the Church, that an appeal sists procedure. The General Assembly has not authority, by what it may call a Declaratory Act, to overturn the laws of the Church. Mr. Stevenson says this is done in special cases. It might be done in every case, for every case may be made special. I should be doing very wrong, and submitting to a great piece of injustice, were I to allow myself to give an answer to your question—that is to say, to proceed on a case which is on appeal to the Church Courts. As to what Mr. Stevenson said, that we are bound to submit in such cases as these, unless to submit would be a sin, I say that there is hardly a thing the Church Court might ask you to do which might not be a sin; or it might be the most harsh thing in the world, but not a sin; but are we to submit our liberty because the thing we are required to do is not actually a sin?"

Mr. Stevenson pressed a motion to the effect that the Committee, which had formerly conferred with Dr. Lee, should be instructed to obtain information as to whether he had obeyed the injunction of the Presbytery, and

report to the next meeting. This was carried by seventeen to thirteen.

At the next meeting, held on 24th April, Mr. Stevenson reported that the Committee had learned, from Dr. Lee, that he had, since the injunction of the Presbytery, made no change in his way of conducting service. Mr. Stevenson explained that, in laying this information before the Presbytery, his object was that it should be reported to the General Assembly, which should thus have a full statement of the exact position of the case, and the satisfaction of seeing that the Presbytery of Edinburgh had been faithful to its duty.

Some dispute followed (regarding the measures to be adopted in order to restrain or punish a friend of Dr. Lee's—not a member of the Presbytery—who, on a recent Sunday, had preached for him and read his prayers), in the course of which, the Rev. John McMurtrie, minister of S. Bernard's, said a few wise words, which Mr. Stevenson and his friends would have done well to lay to heart. As this is the last time we shall have occasion to attend to the Edinburgh Presbytery, I shall quote the words, that we may carry with us, from the presence of that reverend court, the pleasant memory of Christian feeling and common sense. Mr. McMurtrie said that, by the well-meant but profoundly mistaken persistence of Mr. Stevenson and others in pressing these matters on the attention of the Presbytery, they were occupying a false position. They were taking up ground upon which they ought not to stand. By bringing these things very prominently before themselves and the public, they were giving them an importance to which they were not entitled,

and which they ought not to assign to them. He believed that by these discussions they were drifting away from the sympathy of a large mass of the intelligent laity of the Church. He believed that they had outgrown the period, in which it was felt to be a question of importance whether a clergyman was reading a prayer, or not. He believed that, by pressing these matters as they were now doing, they were endangering the allegiance of many in all their congregations; and he earnestly desired that these matters might be very soon allowed to drop. The questions that were agitating the thoughtful minds of our day and of our Church, were questions infinitely deeper than any which were mentioned in that Presbytery. He knew that there were thoughtful men in these days of unsettled faith, who were asking if there was really a God who was a hearer of prayer, and these might look to them for counsel and direction; but they replied by a debate upon the question whether it was better to speak or read a prayer; and it was no wonder that some of these men felt as if they were children asking for bread, and their Church was giving them a stone.

The Synod met on the 7th May. The appeal was defended by Mr. Wallace, who, with his usual logical force and precision, pleaded Dr. Lee's case, arguing on the basis that the injunction of 1859 was departed from, or modified at least, so as to become inoperative, by the proceedings of the General Assembly of 1864; and that no action of the General Assembly since 1864 had occurred to restore the original injunction of 1859 to its full life and vigour. He contended that nothing had been done by the General Assembly to set aside the

legislation of 1864, which rendered the injunction of 1859 inoperative, except in any case where the harmony of a congregation or the peace of the Church was disturbed. What the Presbytery had done, therefore, he maintained, had been against the mind of the General Assembly, as that was to be gathered from its distinct and express actings and findings; and the Presbytery had, accordingly, in this case been chargeable with an act of insubordination to the will of the Supreme Court.

After hearing Mr. Wallace and Mr. Stevenson, the judgment of the Synod was proposed by the Rev. Dr. Cook, of Haddington. The Rev. Dr. Cook, a member of a family long distinguished and honoured in the Church, the brother of the Procurator, and Moderator of the Assembly of 1866, combined in himself so many claims to the admiration and support of his brethren, that he had but to speak the word, in the Synod of Lothian and Tweeddale, and his will was done. Could a Cook, the Procurator's brother, the Moderator of the Assembly, err? Impossible. Besides these hereditary and official claims, Dr. Cook possessed, and deserved to possess, a strong personal influence. His personal influence was that which is generally secured by a man, who is endowed with a calm clear intellect and a sagacious judgment, united to an honest rectitude of character, a genial and humorous kindliness of heart, and much pleasantness of aspect and address. No man, probably, was more personally popular among the clergy, than Dr. Cook. Unfortunately, however, this able and most pleasant gentleman had been dry-nursed in the lap of ancient Moderatism,—and all the traditions of the old

Moderate party clung about him like ill-fitting clothes. These traditions, during the "Ten Years' Conflict," had lost most of the liberal and tolerant flavour of the days of Principal Robertson, which still added a ripe and classic grace and wisdom to the speech and policy of men like Dr. Bisset. This was wanting in Dr. Cook. Essentially liberal by nature, education and tradition had fettered him, and even warped his calm and wholesome judgment.

Maintaining that the order of 1859 was still in force; that the Assembly's deliverance of 1864 had been a mere evasion of a difficulty, and that the Assembly of 1866 had enforced anew the order of 1859;—he held that the Presbytery had acted in proper obedience to the injunction laid on them, and he moved that the appeal be dismissed, and the judgment of the Presbytery affirmed. Concluding a long and forcible argument, Dr. Cook said he was sure there was no disposition to press hard upon Dr. Lee in any quarter. He thought that Dr. Lee was encouraged by the unhappy decision of 1864 to go further than he might otherwise have done. He regretted it deeply, and he was quite sure that they would be all glad to give Dr. Lee and his people every facility for getting out of the difficulty. He believed that Dr. Lee would find that if his book were withdrawn, he would not lose one of his congregation. He believed that the attachment of the congregation to Dr. Lee was not owing to the book, but was due to the manner in which he conducted the public service, and that his manner of conducting it would be as impressive without the book. He should be delighted if any arrangement of that kind could be made; but whatever one's private feeling might be, one thing was perfectly obvious, that, right or wrong, when the General

Assembly gave an order, that order must be obeyed, unless that order was recalled by the Law Courts of the realm as an order beyond the province of the Ecclesiastical Court; and whenever they departed from that principle, they would introduce a system that would end in the utter disorganization and ruin of the Church.

After a debate, enriched by some words from the indefatigable Mr. Phin, and enlivened by a frustrated attempt on the part of the comic Mr. Blake to read a speech, Dr. Cook's motion was carried by 39 to 10. The minority appealed to the ensuing Assembly.

Here ended, to the relief of Mr. Stewart of Liberton, his great Battle of Armageddon.

All this wretched conflict as to whether a prayer should be read from a book or a manuscript, or recited from memory, was harassing, and worse than harassing, to Dr. Lee. The constant worry and anxiety, and labour of research and defence entailed on him, were destroying his health. One sees from the very shakiness of his writing how much the nerves were taxed and strained. There is no doubt that during this winter and spring he had one or two premonitions of impending illness, which he ought to have attended to, but did not.

On 19th January, 1867, he writes in his diary: "This afternoon, being at home, I read over the two chapters which I had written of the Second Part of the Reform of the Church.* They appear to me so much better than I expected that I have resolved to go on with the book, and, if it please God, to finish it. It is uncomfortable, and perhaps enervating to the character, to go on from month to month intending, wishing and hesitating, and

* Chiefly occupied with the Theory of Episcopacy.

doing nothing. Besides, a person sixty years of age should hearken to the warning, 'Whatsoever thy hand findeth to do, do it with thy might.' God give us the grace of wisdom and might and of perseverance."

"28*th March*.—Finished my twentieth session, having not lost an hour with sickness, though with Presbytery meetings I have lost several. I hope eventually they will be found not to have been lost."

These are the last words his diary contains.

All his correspondence at this time bears, more or less directly, on the conflict which, he felt, was approaching its crisis, and to the exigencies of which he was forced to sacrifice himself. He was *tired*, and would have rested, if his brethren would have suffered him. "Inspiratio felix, amice!"—he writes to me, in reply to an offer to relieve him of a Sunday's work—"auxilio valde indigebam illo die. Prædicandi me tædet, et (procul dubio) auditores et ceteros." He came down to the west coast for a day or two, and was for a forenoon at Rosneath, leaving the impression, though he was cheerful and confident about the justice of his cause, of a frailness and delicacy which one did not like to see.

He had, in these vexing days, no lack of assurances of sympathy and support from his friends, to encourage him. "Tu ne cede malis, sed contra audentior ito," wrote Dr. Bisset. "You have a family to provide for," wrote Sir J. Sinclair; "and it appears to me that your friends would be most willing to aid you in the necessary cost of carrying your case before the civil courts, if, as is possible, you are defeated in the General Assembly; and in that event, I should willingly subscribe to such a fund." Another, a large landed pro-

prietor and influential Churchman, in reply to a request of Dr. Lee's that he should come to a meeting of the association which had been formed for the augmentation of small livings, says : "The present time is not a favourable one to make any demand on the pockets of the lay members of the Church. There is, I believe, a strong feeling among the laity that the intolerance of the dominant party among the clergy, as shown, among other things, in the unworthy persecution of yourself, and in their unreasonable and obstinate Conservatism, is alienating the affections of a large number of those who would otherwise be staunch friends of the Church."

The kind of testimony which, I think, he valued most was such as came in letters from persons unknown to him, often in humble life, assuring him of their respect and gratitude for the self-forgetful courage with which he fought the battle of liberty of worship and of thought. Some of those (one of them, at least, very erratic in spelling, though sound in sentiment) are before me now, imploring him not to think of quitting the Church, but to fight the good fight against all odds, and trust to the sure results of patience and endurance in a righteous cause. I find among his papers, also, letters from members of town councils in burghs, such as this, "We have always elected gentlemen of most antiquated notions without reference to their opinions, and just because it was a compliment to send them. I should like that a more liberal representation were found, and would be obliged if you could name any one who would be willing to attend the Assembly, and whose votes would generally be such as you approve. I don't write this as an *individual*, but

because several members are of the same opinion, and we can find no elders here to send."

He built much on this popular support, which he felt certain would not fail him and his party. "Your congregation will stand by you," he says in a letter to Dr. Cunningham, of Crieff, whose Presbytery had involved him in a tedious contest about the use of an organ in his church, "as mine has stood by me. This and common sense are our strength." "I have no idea," he says again to the same friend in April, "how my case is to go. I hear there is a great party resolved to put me down, and to do, I know not what. But I shall not want learned and eloquent friends!"

The coarse and unkind insinuations about his "quibbling" over the decision of 1859, impugning his honour and honesty as they did, hurt him deeply. They were often and very recklessly made; and we trace the rankling recollection of some of them in this letter to Principal Barclay:—

"24, George Square, Edinburgh,
March 18, 1867.

"My dear Barclay,

"Do you remember coming to show me (during the sittings of the General Assembly, 1859), a proposed motion in the case of the G. F. innovations? It was either you or Bisset, but I think it was you. You asked if I could or would submit to that motion? I replied that I would not, but would resist any attempt to enforce it. You asked me what I could submit to, and I replied (laughing, for I hardly thought my amendment would be adopted), that if, instead of 'enjoin Dr. Lee to discontinue the use of a book, &c.,' they would substitute 'discontinue the use of the book in question' (which had been described), I would comply with that, for I intended to lay aside that book, the faults and defects of which I had discovered by experience, and to compose another. I saw

or heard no more of the matter, till I heard the motion proposed in the Assembly *altered as I had suggested.* Accordingly, I said, after the decision, 'I should endeavour to comply with the finding *as I understood it.*' I thought it probable that many or most of those who carried it, did not understand what they voted for.

"Be so kind as let me know whether you remember the above. I am pretty certain it was you and not Bisset, though very likely I may have spoken with him also on the subject.

"Have the goodness to return this note when you have done with it, to save me rewriting. I now write with some difficulty, for what reason I do not very well know; perhaps I have written too much of late years. You have read and admired the doings of our sapient Presbytery! Their stupidity and absurdity exceed belief. I think we shall immediately form a Lay Association to help the liberal cause among the clergy. If something is not done and soon, we shall see the poor old kirk sink to rise no more.

"I hope to get away in the course of a fortnight, and I should now relish a few days' rest, having had a very laborious winter.

"I hope your own health is pretty good.

"My wife and daughter unite in affectionate regards to Mrs. B., Miss B. (who we hear is abroad), and also to your son, whom I hope we may soon see restored.

"I am, my dear friend,

"Yours, always truly and affectionately,

"R. Lee."

Dr. Barclay replied :—

"I have no distinct recollection of what passed *before* the motion was made in 1859, further than that you said you 'would not submit to such a motion as that which was talked of, but would resist any attempt to enforce it.' That I perfectly remember. I have also a most distinct recollection of what occurred when the deliverance of the Assembly was announced. You stood up at the bar, and the words you made use of were that you would 'comply,' or 'endeavour to comply' (I am not sure which), with the injunction '*as you understood it.*' Of the latter expression I am quite certain; and that it was

not understood by your opponents to be a 'quibble' is manifest from the two subsequent judgments of the Assembly, which neither alleged nor implied anything of the kind."

Those who knew his veracity of character knew that he did not, and would not, quibble over any questionable point, to further even the object dearest to him; but many of his opponents, who did not know him intimately, and who were content to form superficial judgments, did not hesitate to poison the public mind with the charge that he was quibbling and finessing, when he was simply exerting the delicately logical forces of his essentially critical and dexterous intellect to show how certain points were in his favour, and to exhibit the reasons which, to his own mind, justified each step in his whole course.

The idea of forming a Lay Association for the vindication of the rights of the clergy, and of obtaining, if possible, legislative definition and recognition of these within certain limits, was much in his mind; and he had some correspondence bearing on this with the Duke of Argyll. The duke, interested in this, as in every proposal designed to promote the interests of the Church, and of Scottish Presbytery, had expressed the difficulties which he saw lying in the way of any legislative action. "I am," said his Grace, "clearly in favour of written prayers being *allowed*, but I am not clear that this liberty ought not to be *asked*, rather than asserted as an existing right." "I think," added the duke, "you have tried the 'weaker brethren' rather hard in the degree of *formality* with which you have adopted liturgical services; and perhaps this has a good deal to do with the *row*."

Dr. Lee replies,--

"24, George Square, Edinburgh,
March 23*rd*, 1867.

"Dear Duke of Argyll,

"I suppose there are various opinions among the laity respecting the matter of reading prayers, &c., but I believe all that they are disposed to ask the General Assembly is not to interfere with myself or any other minister, who may judge it necessary or expedient to read his prayers; *i.e.*, to grant the same liberty in regard to *prayer* which has long been used without question in regard to *sermons*. This practice in either case has never been either allowed or forbidden by our Church Courts. There is no occasion to consider the general question which your Grace suggests as to an 'unlimited license for congregations to alter forms of worship at their pleasure,' for this point has not been raised; or rather, though raised by the Presbytery of Edinburgh in 1859, was put down by the General Assembly of that year refusing to notice it. For my own part I maintain that the 'innovations' forbidden by our laws, civil and ecclesiastical, mean nothing but the rites, ceremonies, and prayers, of the Book of Common Prayer. I do not agree with your Grace that the present 'row' has been occasioned by the extent of my 'formality.' The brethren would have been equally 'tried' and the bigots equally furious if I had done nothing but simply read prayers, instead of reciting them. But I knew the dispute would at last be settled by a compromise; and in that view I introduced one or two things which I might give up without failing in my main object. What I have done I claim a distinct legal right to do; and I deny that the General Assembly has any right to forbid it, under the existing laws, unless indeed it created confusion or discord in particular congregations. I do not deny that the General Assembly, with consent of Presbyteries, might make such a law, though I should think it pernicious. But I should obey it, if made. I cannot agree with your Grace in thinking that liberty to read prayers, &c., ought to be asked of Church Courts; and to do so might embarrass them. If the changes in question be *forbidden* by the existing law, Church Courts may not grant liberty to any party to introduce or practise them; if they be *not* so forbidden no one requires liberty to introduce them, provided always their introduction be not obnoxious to the particular congregation, or productive of any other mischief.

"After the other 'innovations' had long been in use in my own church, and we had resolved to have an organ, this point was anxiously considered; and I discussed it seriously with some of my co-presbyters who were opposed to my views altogether. They clearly saw if the Presbytery was consulted its advice must be taken absolutely; and that the Presbytery had no right to grant to me or any one else permission to violate a law, or any authoritative custom. As to the introduction of *altars, vestments, kneeling at communion*, and the like, I *consider all such things forbidden*, because plainly comprehended in those Anglican ceremonies which, as was said above, are intended by the word 'innovations,' as used in our laws. Besides, most of these things are *expressly* condemned in our books.

"At the last General Assembly I consented, at the urgent instance of my friends, to cease reading prayers *from a book*, still claiming a right to read them. This I did reluctantly; and all those who advised it now agree with me in thinking that the concession was a great blunder. Nothing keeps the bigots in check now but fear of an appeal to the Civil Courts; a result which I think not unlikely unless they open their eyes. I have some thoughts of writing and publishing a letter explaining the case as it now stands, for the information of such as may feel an interest in it, but may not be well informed as to details. What would your Grace think of this? It could not be begun till after next week, when the end of the session might afford me some leisure. I enclose a report which explains some points.

"I remain, dear Duke of Argyll,
"Your Grace's very faithfully,
"ROBERT LEE."

Mr. Robertson, minister of the Middle Kirk of Greenock, asked Dr. Lee to come and preach there, on the occasion of the opening of the organ which had been erected in his church. Dr. Lee writes, "I assure you I do regard it as a compliment, the more agreeable, as so many others appear to have quite forgotten to whom they owe the liberty which they now enjoy, in this and

several other respects. But that is the way the mob of men always act, and I am glad to suffer, or rather to look on, like those who have done and suffered infinitely more." Writing a few weeks later he says, "I ought not to come to you on the 31st [March], for I am rather worked out, but I am unwilling to fail you at the pinch. I shall, therefore, endeavour to be with you on Saturday. Unfortunately our examinations for the B.D. commence on Monday, April 1st, so that—but there is no rest for the wicked, especially of the innovating sort. I shall take the evening if you prefer that, and I suppose I had best *lecture* upon the reform of the Church. What say you? Having Caird, you have enough; have you not? 'The combat thickens.' We shall have a lively Assembly, I guess!" After all, he could not go to Greenock. He writes on March 29th, "I must appeal to your *charity*. The decision of the Presbytery last Wednesday (27th) has placed me in so awkward a position that I fear I cannot possibly be absent from home next Sunday, the more so as I have a new assistant coming, whom I must leave to go in his own ways, and my allowing the service to be performed in a new manner would be sure to be misconstrued. The elders are so anxious that I should not be absent on Sunday that I must disappoint myself as well as you. But you are in no need, having Dr. Caird.* I know, and am thankful for the feeling which prompts you to wish me to take part in your opening, but I know you will appreciate my motives for now declining. I shall do anything I can hereafter." Hereafter! Promise yet unfulfilled.

* Professor of Theology in the University of Glasgow, author of "Sermons," &c.; supposed, although he has never taken any share in its conflicts, to sympathize with the liberal party in the Church.

We get a glimpse of him in this letter from Mr. Langwill, the minister of Currie, a steady and valued friend. "On the day on which the Synod met, in the beginning of May, 1867, I met him in the lobby of the Assembly Hall, while the sermon was being preached. He was looking very ill, haggard, and care-worn, the weak eyelid twitching very nervously, as it used to do when he was worried. He took my arm, and we walked up and down within the rails on the south side of the Hall, for about a quarter of an hour. He spoke more bitterly than usual about the conduct of his opponents in the Presbytery, and displayed a sensitiveness to the cruel attacks of some of them, which I never saw him display before,—said it was very painful for him, (*and his family*) to be held up to public infamy, as a man destitute of honour, a breaker of the most solemn vows, &c., &c., and added, 'I think I shan't look near the fellows at all.' He then proposed a walk in the Meadows. We went, and called at his house, and after resting a short time he said, suddenly, 'I'll go back. They shan't have to say that I showed the white feather.' He went back, and for the first time, I think, since the controversy began, he took no part in it. That, if I remember rightly, was his last appearance in a Church court."

My readers will have noticed in the preceding pages allusion to the possibility of an appeal, on Dr. Lee's part, to the Civil Courts, if the General Assembly should decide against his being allowed to read his prayers. In reference to this Mr. Skelton, with whom he often conferred and consulted, writes to me,—"My impression is that at one time he had fully resolved, in the event of

judgment going against him in the Ecclesiastical Courts, to appeal to the Civil. He then held very confidently that a court of law would not permit an ecclesiastical court to deprive a minister of his benefice, on the ground that he read his prayers from a printed book, instead of committing them to memory, or reading them from MS. My own impression was different, as, I believe, was that of other legal friends to whom Dr. Lee spoke on the subject. The view we took was that (in respect to the Established Church at least) the Court would be disposed to hold that the case involved a question, not of contract but of jurisdiction; and that the ecclesiastical tribunals had an inherent right to regulate, within certain limits, the manner and form in which divine service should be conducted. In the event of an offender against these regulations being punished for *contumacy*, I was persuaded that the Court of Session would refuse to interfere. I am inclined to think that, latterly, Dr. Lee adopted this view,—at all events, that he came to be of opinion that it was not expedient to run the risk of deposition on account of a difference, which could hardly be deemed a difference in point of principle. It was, no doubt, profoundly absurd on the part of the Church to allow its ministers to read prayers from MS., and to prohibit the use of printed matter; but the work on which Dr. Lee was engaged involved larger issues, and it would have been a pity, I think, had he, in respect of a question of form, terminated his career in the Church. I dined with him a day or two before he was struck down—immediately after his little pamphlet had been issued; and my opinion is, from the expressions he used, that he had then made up his mind to acquiesce in the decision of

the Assembly, which would no doubt have been adverse."

The pamphlet, to which Mr. Skelton refers, was the "Letter to the Members of the ensuing General Assembly," which Dr. Lee published on the 18th May. He was eager to set his case fairly before those who should be called to decide upon it, in a more permanent and formal shape than a speech at the bar could assume. He accordingly drew up this statement, which is a succinct and lucid commentary on the law and usage of the Church in regard to public prayer, and a calm and forcible defence of his own practice and position.

"Reverend Fathers and Brethren, and my Lords and Gentlemen," he says, "you will be called upon in a few days to decide upon a matter of great importance, and which may have an extensive influence upon the condition of the Church of Scotland. You will be called upon to judge as to the meaning and effect of a Finding of the General Assembly, 1859, respecting certain 'Innovations' said to have been committed by me in the worship of the church of which I am minister; and you will be earnestly exhorted, in the name of 'law, order, obedience, subordination, solemn vows and obligations, etc., etc.,' to enforce that decision. It becomes you therefore anxiously to study the decision in question, and not to believe that it means so and so, or is effectual for such and such purposes, because the words may sound so, or because certain men whom you look up to may say so, however confidently. You are, every one of you, intrusted with authority to judge in this matter; and no doubt we all endeavour not to forget the sacredness of this trust; for 'the judgment is God's.'

"Permit me to recall to your minds that the Finding referred to is not a law of the Church; it is not even an Act of Assembly, much less is it an Act rendered law by having received the sanction of the Presbyteries: and when you consider how common it has been to transgress without rebuke even these Acts, your minds will perhaps be the less impressed by the rhetoric now employed to set forth the enormity of my

supposed transgression. Before I have finished, it may appear that those who denounce me are themselves chargeable with even greater transgressions of a similar kind. Did not our Saviour once utter this rebuke—'He that is without sin amongst you let him cast the first stone?' and has not S. Paul asked this question—'Thou that judgest another, judgest thou not thyself?' I am surely entitled to expect of you, Reverend Fathers and Brethren, and of you, Honourable Gentlemen, that none of you will pronounce on me a censure which may be equally or even more applicable to yourselves. It cannot be necessary to warn any of you of the great danger of bodies, constituted as our Church Courts are, being swayed by party spirit, and of the difficulty of preserving judicial calmness in cases like the present. A man who had much experience of Church Courts has left this observation—'The prevailing party was violent against the Argethelians and the forfeited. . . . They were particularly run down in the Church judicatories, where most of the clergy, with the usual honesty of clergymen, ran headlong against the weak, and servilely crouched to the prevailing.'* And we know how natural it is for every body of men to maintain its own authority, even when it may be in the wrong. Against this danger we need perpetually to be warned. When the ministerial party in the House of Commons attempted to expel Wilkes, in 1771, without legal grounds, but merely because he had made himself odious to them and to the Court, the greatest statesman of that day, Edmund Burke, addressed to them this admonition:—'The question,' he said, 'amounts to this, whether you mean to be a legal tribunal or an arbitrary and despotic assembly.' It is the very same question which the General Assembly of 1867 has to answer for itself; and the friends of the Church may well feel anxiety that the members should ponder what they may be moved to attempt, in order to cure what many of you regard as an evil requiring remedy.

"Feelings of irritation are of course sure to be excited in the members of Courts, and not least of Church Courts, when their commands are apparently treated with disrespect, and their authority seems to be set at nought. But no one can be so ignorant of history as not to recall many examples in which

* Letters of Lord Grange, "Miscellany of Spalding Club."

those men were proved to have been the only loyal upholders of authority who were generally regarded and denounced as rebels against it. Not to recall the familiar instance of John Hampden and ship-money, it is more appropriate for us to remember, that our own Church has more than once or twice found herself in this tragical position, upholding, as she contended, the king's authority against his person, his commands, and his armies. And many ministers are still living among us, and will be members of the next General Assembly, who, less than thirty years ago, disobeyed the commands of General Assemblies and other Church Courts, in order, as they alleged and thought, to maintain the constitution of the Church and the law of the land. We hope their own example may help to mitigate the indignation which some of those excellent persons feel against others, who have indeed not acted as *they* did, though they may seem to have done so. It will be yet more strange and sad if some of you, who are prepared to censure one of your brethren for not complying with a particular decision of one General Assembly (which he holds was both a mistake in itself and was nullified by subsequent General Assemblies), should be in the habit of disregarding *Acts of Assembly*, which are more solemn and formal expressions of ecclesiastical authority, and so entitled to far greater deference.

"You will all admit, on reflection, that the Finding of 1859, non-compliance with which is the offence now charged against me, derives its authority and its claims to our regard, not from its being pronounced by the General Assembly, so much as from its being in accordance with the laws of the Church. No one surely will contend, that if it were ascertained to be not in accordance with those laws, or in opposition to them, it would deserve any deference from us; and few will maintain that it would in that case not be right and dutiful in any member of the Church to disregard, and even resist it, if the matter appeared of sufficient importance. As has been already said, even loyalty to the Church itself might not only justify but demand this.

"And it is proper here to note, that the language of this Finding supports this view and suggests it; for it pretends to be not an expression of authority on the part of the Assembly, but of the 'laws of the Church.' In issuing that decision, the

General Assembly 'find that this practice' (of reading prayers from a book) 'is an innovation upon and *contrary to the laws* and usage of the Church in the celebration of public worship.' Now, it is conceivable that as, according to the Confession of Faith, 'all Assemblies may err, and some have grievously erred,' this Assembly of 1859 may have erred through ignorance, precipitation, party spirit, prejudice, or otherwise, in asserting that 'the practice' in question 'is contrary to the laws of the Church,' or an 'innovation.' That they did so err I believe and maintain, and shall again endeavour to prove."

He then traces the law of the Church as to the use of the Book of Common Order and its sanction of liturgical service down to the period of the Westminster Assembly, and adds,—

"It is interesting to note the great demand for the Book of Common Order and the frequency with which it was reprinted, down to the very times of the Westminster Assembly. My friend, Mr. John Hill Burton, the greatest of the historians of Scotland, informs me that some twelve editions are known to have appeared—one so late as 1641, another at Aberdeen about 1633 'with tunes by the best musicians in Aberdeen;' showing that even then the book was in general use in the churches. This great circulation is decisive of the general use of the book by the people; as is also the extreme rarity of it, the great number of copies issued in those successive editions having been thoroughly used up and worn out *by the people* for whom they were intended. Mr. Burton has no doubt that the Book of Common Order was, in the earlier period of her history, as generally employed in the Kirk as the Book of Common Prayer was in England.

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"I do not here stop to quote the statement of Sage, that the Book of Common Order was still occasionally used even after the Directory had been adopted, though there is no reason to doubt its accuracy. It is more to our present purpose to inquire in what light the Book of Common Order was viewed by the leaders of the Kirk at the time when a great revolution was

made in her constitution by the Solemn League and Covenant, the Westminster Assembly, and the other measures consequent thereupon. Now it so happens that we have an express declaration by Henderson and the other leaders of the Presbyterian party, that they considered the Book of Common Order the legal and public liturgy of the Church of Scotland at that time. When Archbishop Laud's Prayer-Book, as it is called, was prepared and printed in 1637, and was so unanimously rejected, among 'Reasons for which the Service-Book urged upon Scotland ought to be refused,' is the following:—'Though a prescript form of liturgy were lawful, yet there is no warrant for imposing one: *for might not able ministers, at least, make a prescript form to themselves which would fit them and their people best?* But if it were lawful to impose one, then *there is one in this country already.* Ought not that rather to be imposed than any other, seeing it is *already established by Parliament now of a long time?*' Here is an unmistakeable declaration of opinion as to the legal position of the old Liturgy in 1637. Mr. David Laing, who quotes this passage,* interjects the remark that 'the words may be applicable to all congregational innovations at the present day.' I agree with the learned antiquarian: they certainly do encourage 'able ministers' at least 'to make a prescript form for themselves,' as it 'would fit them and their people best.'

"Thus it appears, that down to the time of the Westminster Assembly, the legal authority of the Book of Common Order, and with it the lawfulness of reading prayers from a book, are clearly established.

"The question therefore now is—Did the Westminster Assembly, or any subsequent action of the Kirk or of the Government, alter this state of the law? I shall not here stop to argue the question, whether the Westminster Directory, or any other of the Westminster documents, except the Confession of Faith, have now legal force. This, at present, is not necessary, for no one, with whom I am here concerned, will pretend that they have. No doubt, the Directory, no less than the Confession, was sanctioned by the Estates of the Scotch Parliament; but that Act, with many others, was rescinded in 1661, and

* Knox's Works, vol. vi. p. 284.

never renewed. It may, however, be pleaded that at the period of the Revolution, the Kirk is acknowledged *as then constituted*, with her ordinances and worship as then existing. Though in the Act 1690 there is no allusion to the public worship of the Church, in another, passed in 1693, 'their Majesties with advice and consent foresaid, statute and ordain that uniformity of worship, and of the administration of public ordinances within this Church be observed by all ministers and preachers, as the same are at present performed and allowed therein, or shall be hereafter declared by the authority of the same—*i.e.*, "of their Majesties, with advice,"' &c. The only question here is, what is the 'uniformity' here intended? The answer which any one will give who has the slightest acquaintance with the history of the period, is that no 'uniformity' was ever contended for by the Kirk, except that to secure which the Solemn League and Covenant was framed, and the Westminster Assembly was held —viz., *Presbyterian worship*, to the exclusion and with the suppression of Episcopal worship, with its Service-Book and various rites and ceremonies, as also of the worship practised in conventicles by sectaries, all of whom were extremely odious to the Kirk, but whose worship, though not 'allowed,' was extensively 'performed,' as the framers of this Act well knew.

"In the course of this controversy two interpretations of this Act have been put forth; one is that it binds us to observe, without any change, the presently-existing manner of worship in all respects, whatever it may be, or at least that manner which happened to exist, or generally prevail, at the time of our several ordinations:—which childish imagination is here mentioned as a specimen of the multifarious folly which has been talked in opposition to 'innovation.' The other interpretation is to the effect that the above statute binds the Kirk for ever to the same customs, whatever they were, which actually prevailed in the year 1693, when the Act was passed. This view, however, besides other objections, would be extremely perilous, not to say fatal, to the Kirk; unless it could prove, which it cannot, both that the worship in every church was absolutely uniform in 1693, and that the worship of to-day is uniform, and corresponds in every case and in all particulars with that which was 'performed' and 'allowed' in 1693. But the authority neither of William and Mary, nor of any of their

royal successors, 'with advice and consent aforesaid,' has been obtained for baptizing and marrying in private houses, praying at funerals, singing chants, anthems, doxologies; for reading sermons, disusing the Lord's Prayer and also Scripture lessons; or for building ornamental churches, decorating them with stained-glass windows, crosses, and other papistical and prelatical ornaments; for choirs, harmoniums, organs, or for any other, in a long list of innovations which have taken place since the year 1693. So that, if this meaning of the Act 1693 be insisted on, all is over with the Kirk; and her ministers are liable at any moment to be turned out of their manses, and denuded of teinds, glebes, and all other ecclesiastical rights and possessions whatsoever. There is no other interpretation which our own security permits us to adopt but that which the history of the Church itself forces upon us—viz., that the 'uniformity' of worship sanctioned by law is that which is sketched in 'the Directory for the public worship of God,' which the Church had so eagerly adopted and so zealously contended for.

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"Now, it is remarkable, as well as undeniable, that the Directory nowhere either prohibits or mentions the practice of reading prayers. Those who contend that some of its instructions are unfavourable to this practice, or seem to imply that it was not to be followed, cannot pretend that the document itself ever *says* any such thing. Does not this decide the whole question? The Westminster Divines were very familiar with this practice; most of them were Englishmen. The Scotch divines also were familiar with it, as we have seen. There had been great discussions, not to say fierce controversies, continued for many years on this very point, regarding which the Puritans were divided in opinion, though the leading Presbyterian divines were favourable to the use of Liturgies, as was Baxter, who not only argues strongly to this effect (see his *Christian Directory,* part iii., Cases of Conscience, QQ. 71-78), but himself composed a Liturgy as a substitute for the Book of Common Prayer. The only supposition, therefore, which it seems possible to admit is, that the matter was intentionally passed over in silence, as being one respecting which there was a difference of opinion, or which might safely be left to be settled by each minister for himself, according to his own

judgment and taste, or the feelings and tastes of his congregation.

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"But we are not left here in any uncertainty. We have the express declaration of the leading Presbyterian ministers, some of them prominent members of the Westminster Assembly, to this effect. In the deputation which recalled Charles II. to the throne were such eminent Presbyterian divines as Dr. Reynolds, Bates, Calamy, Baxter, and others, who presented an address to the king, in which they said—'We are satisfied in our judgments concerning the lawfulness of a Liturgy or form of public worship, provided it be agreeable to the Word of God, and fitly suited to the nature of the several ordinances . . . . *nor dissonant from the Liturgies of other Reformed Churches*, nor too rigorously imposed, but that the minister may also make use of those gifts for prayer and exhortation which Christ hath given him for the service of the Church of God.' And, 'for settling the church in unity and peace,' they propose that 'some learned, godly, and moderate divines of both persuasions may be employed to compile such a form as is before described, as much as may be in Scripture words, or at least to revise the old, together with addition of some other varying forms in Scripture phrase, to be used at the minister's choice,' &c. Accordingly, 'a commission was issued for the promised revision to twenty-three Episcopalian divines, and to the same number of Presbyterian divines, heads of the Presbyterian party, and several of whom had been members of the Westminster Assembly. The result was what is known as the Savoy Conference, and the Emendation of the Book of Common Prayer by the Presbyterian clergy commissioned by King Charles, 1661,'—a most interesting and important work, lately reprinted and published at Philadelphia by Charles W. Shields, D.D., with a learned and valuable treatise.

"There need be no disputation, therefore, as there can be no doubt, as to the opinions of the Westminster divines on the permissibility at least of reading prayers.

"Now, it is worthy of particular observation, that the General Assembly, 1645, which received and sanctioned this document, is careful to show that by so doing it did not either condemn or prohibit any of those practices in public worship which had

prevailed in the Church in its earlier times:—'It is also provided, that this Act should be no prejudice to the order and practice of this Kirk in such particulars as are appointed by the Books of Discipline and Acts of General Assemblies, and are not otherwise ordered and appointed by the Directory.' It being unquestionable that the use of a Liturgy, and the consequent reading of prayers, were 'appointed by the Books of Discipline and Acts of General Assemblies,' already quoted; and that the latter practice at least is not 'otherwise ordered and appointed by the Directory,' it follows, that in accepting this document as its rule of worship, the Kirk distinctly reserved to its ministers to follow that practice, as they, or such of them as chose, did before."

After remarking the absence of any Act of Assembly regarding prayer since the date of the Directory, he proceeds,—

"There being thus no laws to interpret except such as are favourable to the custom of reading prayers in the public worship of God, we come now to say a few words respecting those *Decisions* which have been given on the subject in connection with the alleged innovations in the old Greyfriars' Church, Edinburgh. It must be obvious already that not only did certain Presbyteries and Synods begin to clamour on this subject before they had taken time to understand it, but that without sufficient information the Venerable Assembly itself proceeded unhappily to deal with it. Even in the first of these, however (May 31, 1858), the Assembly betrays some uncertainty and hesitation; for it 'earnestly and solemnly warns all members of the Church against the *rash* adoption of changes in the order and form of public worship as established in the Directory of Public Worship, confirmed by Acts of Assembly, and presently practised in this Church.' These words imply (1.) That certain changes in the order and form of public worship were, or might be, *not rash*, and so not forbidden or disapproved; (2.) They imply that 'the order and form of public worship established in the Directory' are identical with those 'presently practised in this Church;' which is notoriously contrary to fact. The Finding of 1859 displays the same inaccuracy.

"It is obvious in this Finding of 1859, and in the overtures which led to it, as well as in the subsequent proceedings of the Church, that the words *innovations* and *uniformity* are used in a sense till then unknown in our legislation; and especially that the sense of Act of Assembly, 1707, is quite misunderstood and misconstrued in those Overtures, as it has been in the proceedings of the Kirk since that time."

He then enters upon an examination of the Decision of 1859, and defends his own subsequent course in an argument similar to that which we have already heard in more than one of his pleadings in the Church courts, and which need not be reproduced.

"I cannot see," he concludes, "what authority the Presbytery had to justify that decision of theirs which is now on its way, by appeal, to the General Assembly. The Supreme Court gave them instructions 'to inquire into the manner of conducting public worship,' &c. This language does not require, if even it permits, the inferior court to pronounce a judgment, whether the manner in question be or be not a compliance with the Finding of 1859. The Presbytery, however, should be excused if they mistook the meaning of a Finding characterised by the same want of accuracy and clearness which have blurred most of the coin that has issued from the same mint. The concluding sentence of this last utterance of the Venerable Court is thoroughly ambiguous. The words 'in a manner consistent,' &c., may apply to any one of three matters contained in the previous clauses, and the matter to which the words are apparently intended to apply, they cannot apply to in grammatical construction. They are as follows:—'and to take such steps as the result of the inquiry may show to be requisite for the regulation of the services in the said Church, *in a manner consistent with this deliverance and with the law and usage of the Church.*' We may indeed sympathise with inferior courts whose 'ecclesiastical superiors' send down to them such ambiguous oracles for their guidance."

He then turns to the question of usage, and points out

the absurdity of enjoining a compliance with the *law and usage*, when the one is notoriously inconsistent with the other; and denies that the usage is either so ancient or so universal, as to be entitled in any degree to the authority of law. He then proceeds,—

"The Church of Scotland, which is an institution created and maintained by the public law of the country, has hitherto professed to regulate its proceedings according to that law, or according to regulations which itself had established in accordance with or in subordination to that. But now some of its office-bearers appear to have imagined that they may arbitrarily censure ministers and Kirk-Sessions, if not also congregations, for doing things which have only not been usual, or which the censurers do not esteem decorous and edifying, however agreeable and edifying these things may appear to those who have seen fit to practise them; although it cannot be pretended that any discord, division, or other mischief has flowed from the novelties, or any hurt been done, except perhaps to the prejudices of those who claim to be a law unto other people as well as unto themselves. Bodies of men who feel in this way are always tempted to do violent things; and they generally bring themselves as well as others into difficulties and danger.

"The friends of the Church may well feel anxious that the members of the ensuing General Assembly should ponder well what they may be moved to attempt for curing what many consider an evil requiring remedy at their hands."

After adverting to the difficulties of dealing with "innovations," judicially or legislatively, he thus concludes,—

"In common life it is reckoned a wise maxim, when we do not know what to say, to say nothing—to hold one's peace and not imitate the example of the impetuous Apostle Peter (Mark ix. 5, 6). It is not less a prudent maxim in politics, whether civil or ecclesiastical, when it is uncertain what should be done, to refrain from doing anything, until 'God in his providence shall give further light.' Especially is this course to be followed in cases where action appears to be attended with certain,

perhaps great, danger, and inaction with little or none. It seems doubtful if, by the strong measures now recommended in some quarters, the General Assembly can succeed in putting down those changes in public worship which you are now called to deal with; but if it succeed, it will be at the expense of the Church itself. If a minister is convinced that he has liberty (according to the law of the Church) to read prayers, it will probably be found that nothing that Church Courts may do can hinder him. He will practise either that, or something equivalent, which they cannot lay hold of, especially if he be supported by the sentiment of his congregation. And if they do succeed, the result may be that those—and they include a large proportion of the educated people at least—who prefer read prayers, will withdraw to churches where their sense of propriety shall not be offended, as it must often be in all churches where the clergy are compelled to recite their prayers, whatever may be their own opinions, or their capacity and fitness, or the wishes of their flocks. A determination of the General Assembly to prohibit read prayers will cost the Kirk thousands of members, as I firmly believe: a resolution to tolerate the practice, at least for the present, would not cost her a single member, but probably would gain her thousands.

"The word *Ritualism* has been uttered in connection with the 'Innovations' which are now under your consideration. Mankind are the dupes of words. Of the practices in the Church of England which are so designated I shall only say, that I deeply deplore them, or most of them. But allow me to point out that nothing which has been done by myself or others, now charged with 'innovating,' has any affinity with those papistical or mediæval practices in the English Church, or any resemblance, however slight, to any of these, as any one who reflects for a moment will perceive; and the word *Ritualism* can be used here only to create a prejudice in uninformed and unreflecting minds.

"But *Uniformity* is the popular idol; and the worship of this idol is the sin that at all times more easily besets Churchmen, and those who are infected with the clerical spirit. And since we cannot obtain a *civil* Act of Uniformity, some appear to think we should enact, if possible, an ecclesiastical one, which may serve our purpose nearly as well!

"Numerous Acts of Uniformity have been passed in these kingdoms at different times—in the reigns of Edward VI. Elizabeth, Charles II., and others—always, I am sorry to add, at the instigation of the Church, or rather of *the prevailing* clergy. Every one of them proved both a calamity and a scandal. None of them attained the end in view, or had any effect but to deepen dissension, exasperate differences, extend dissent, and weaken the Church in whose supposed interests they were enacted.

"I have the honour to remain,
"Reverend Fathers and Brethren, and
"My Lords and Gentlemen,
"With much respect,
"Your faithful servant,
"ROBERT LEE."

"EDINBURGH, 18*th May*, 1867."

This was his "Apology." Having made it, he knew he could do no more, and calmly awaited the meeting of the Assembly.

CHAPTER IX.

THE PRAYER-BOOK.—SUDDEN ILLNESS.—LEAVES EDINBURGH.—TORQUAY.—LETTERS.—DEATH.—FUNERAL.—CONCLUSION.

"Opibus nimiis non gaudebat; speciosæ contigerant: filia atque uxore superstitibus, potest videri etiam beatus; incolumi dignitate, florente fama, salvis affinitatibus et amicitiis, futura effugisse."—TACITUS, *Julii Agric. Vita*, cap. 44.

THE chief interest of the Assembly was expected to centre in the Greyfriars' case. People saw that it had now reached its crisis. If the Assembly should, as few hoped, decide it in Dr. Lee's favour, there could be no possibility of renewed proceedings against him in the inferior Court. Mr. Stewart's occupation would be gone. If the Assembly should, on the other hand, fulfil the common expectation, by dismissing Dr. Lee's appeal, and ordering him to obey the injunction of the Presbytery, he must either comply, or make an appeal to the Civil Courts, which those courts probably would not entertain.

The whole question now hinged upon the use of the Book. The right of reading prayers had been tacitly conceded; but the right of reading them from a printed book, copies of which were in the hands of the congregation, was one which it might be taken for granted the Assembly would deny. Many, even, of Dr. Lee's warmest supporters, found it difficult to sympathize with

his tenacity about the book. To them it was enough that he had asserted the general right of reading prayers. But to him this privilege was but a part of the liberty to which he felt himself entitled; and he wished to maintain the further right of a minister to prepare, print, and give to his congregation, the prayers to be used in his church. In theory, the volume was nothing more than a collection of prayers to be used in Greyfriars', with the addition of services for the administration of the Sacraments, and extracts from the Psalm-book and hymn-book. But, practically, the merits of the volume itself, and the prejudices of public opinion had invested it with the formal character of a liturgy; or, at least, of what people, who are not commonly very exact in their choice of terms, chose to call a liturgy. Dr. Lee naturally clung to a book, on which he had bestowed much labour, and which, to his mind, was the representative of a principle. But the book was, further, the embodiment of his idea of a rational Christian worship, free, alike, from the intermixture of obtrusive dogmatism, and from the archaic forms of Catholic tradition. He wished that his prayers should express the devotional spirit which breathed the free and pure air of modern thought. He did not see why the forms of one age need enfold the worship, any more than the doctrine, or the science, of another. Hence, although the language of his prayers and services is Scriptural, they have not much of that ripe fulness, and venerable gracious stateliness, which shed a solemn yet kindly and familiar air—as of faint incense, or of mellow music—around the ancient liturgies. The effect of the language of his prayers, one might perhaps say, was as though the words

and phrases of Scripture had been drawn from their living fountain, through a classic, rather than a Catholic channel.

Had Dr. Lee's case come before the Assembly, the book might probably have been laid on the table of the House. It could not, however, have been judged on its merits; for few of the members of Assembly had ever read it; and still fewer had paid sufficient attention to liturgical studies to be able to pronounce intelligently upon it. But it was not destined to be either approved or condemned by that tribunal.

The composition of his letter had overtaxed Dr. Lee's already wearied strength. He had drawn up the statement in a form which did not please him; and within two or three days of publication, he threw his first MS. aside, and recast the whole of it. It was too great an effort. He had been hard at work all the winter and spring. In addition to all his usual preaching, lecturing, writing, and congregational labours, he had to prepare for his various encounters with the Presbytery, which, while they occupied his attention, vexed and worried him with their petty yet harassing unpleasantnesses. Although not feeling thoroughly well, he had not thought of asking leave of absence for a time. This he could at once have obtained. The Presbytery of Edinburgh had always shown itself tender to those among its members, who, anxious for their valuable health, had thought it right, from time to time, to seek relief from their public functions. But Dr. Lee had an odd sense of duty, and of fidelity to the place and the charge which he judged Providence had assigned to him, for its own ends and not for his, that would not suffer him to quit his post while he had any strength left

wherewith to hold it. That strength was now well nigh gone. On the 22nd of May, the day before the meeting of the Assembly, he rode out to Colinton, to visit Lord Dunfermline. He sat with him for some time. Lord Dunfermline thought that he never had heard him converse more forcibly. There was no shadow of impending disaster over the brightness and cheerfulness of his last meeting with this friend. On his way home Dr. Lee had got to the west end of Princes Street, between two and three in the afternoon, when he was seen to reel in his saddle, and then to fall to the ground. His servant was behind him, and he was immediately lifted and carried home in a cab. Dr. Henderson was soon with him, and found that he had been struck with paralysis of the left side. The shock was a severe one; and he lay prostrated for many days, unable to concern himself in any of his public interests. During this period his case came before the Assembly. He was represented at the bar by his friends, Mr. Skelton and Mr. Shand, advocates, who craved that the case might be postponed. This was at once agreed to; and some kindly and sympathetic words, such as generous opponents might fitly utter, were spoken, on the occasion, by Dr. Pirie and Dr. Cook. The protracted discussions upon Innovations thus came to a vague and undefined close. The "Greyfriars' case" remains still unfinished—ending only in a postponement. Dr. Lee's friends were not sorry that it should end thus, as they knew that, if the appeal had been heard, the decision of the Assembly would have been adverse. They knew that his long contest had produced results sufficiently substantial, even although his right to use a printed book of prayers had not been vindicated. The

broad results—of which organs, choirs, devotional postures, decorated Churches, and Church Service societies, were the visible indications—were, a deeper and purer devotional feeling permeating the mind of the Church, and especially of the younger clergy; a more exalted sense of the solemnity and necessity of worship as the true bond of union among Christians; a more charitable, liberal, and catholic tone of thought and sentiment; a franker recognition of the diversity of forms and gifts through which the one Spirit may develop its growing life.

While the Assembly was sitting, Dr. Lee was allowed to know nothing of what was going on; indeed he seemed indifferent to it. Assemblies, even the most august, are apt to look very insignificant to a man lying on the "low verge of life." I saw him after its deliberations were over, and he made scarcely any reference to them; but seemed chiefly occupied with the thought of his own inability to do his wonted work. "I am thinking of how I am to get rid of these offices I hold," he said, speaking with some little difficulty.

I saw him, next, in August, at Skelmorlie, whither he had been carried for change of air and scene. He had rallied wonderfully, and felt so well, that he even proposed, to the disquiet of his friends, to try to preach, and spoke of coming to make the experiment in Rosneath Church. One could mark, with pain, that, though his strength had returned in a great measure, some mischief was lurking near the brain. There was not the same sharp clearness, as formerly, about his thought and speech. There was, perhaps, too, just a flavour of a bitterness about his words when he reverted to some of his old antagonists, which one had not noticed before,

and which was obviously owing now to some hidden cerebral irritability. He never used to speak harshly about those persons. If, now and then, he would comment somewhat sharply on certain opponents of his reforms, this appeared to spring rather from impatience of reason vexed with stupidity, than from angriness of temper exasperated at opposition.

After staying some time at Skelmorlie, he returned to Edinburgh, and in October went to Torquay. Many of his friends, who saw him before he left Edinburgh, formed high hopes of his ultimate restoration. Skelmorlie had done him good, and he looked well, and was hearty and hopeful. His parting words to all were kindly and pleasant. "Good-bye, and God bless you," he said to one who had long been a friend of his house; "tell your husband to make them all good Catholics at ——."

The first letter, in his own handwriting, from Torquay, sadly shaken and irregular, was to Mr. Langwill. "I cannot tell you what I think about anything," he says, "for this reason, *inter alia*, that I have no thoughts about anything. Do charitably send me some. How refreshing it is to hear the echoes of that august Presbytery, 500 miles distant. In the midst of them one was not quite aware of being *in concilio Divôm*. I fear I may not again listen to their wisdom, having perhaps sinned away my day of grace in failing to improve my opportunities, which I have enjoyed the last twenty-four years . . . . Seriously, I am leading a very agreeable and useless life, consuming the fruits of the earth, and doing little more except think of absent friends and foes, though I cannot say that the latter get much attention, for I have, at present, no hatred to spare."

On 13th of December he dictates this to his friend, Dr. Stark, the Registrar-General, in Edinburgh.

"Dear Dr. Stark,

"I hear that my friend Mr. John Anderson, Tailor, is a candidate for an office in connexion with some co-operative body, of which you are the soul, and I write to you to give my testimony respecting him, as not only a singularly intelligent and able man, but in my opinion very upright, honest, and good, besides being an excellent tailor. In short, I have a very high opinion of him, and I think I know him very well. I should be very glad to hear that you appointed him. I am thankful to say I am better—eating and sleeping well—and gaining strength slowly. I am enjoying complete rest, if that be what I want. We have no news from Scotland, except what the *Scotsman* gives us. The Catholic movement in the Church of England has gone further and has greater strength than I imagined; the bulk of the clergy, and, I suspect, the best of them, favour it more or less openly—many of them preach it without disguise. What the result may be, God only knows; but at present a great increase of religious zeal and activity is apparent. We have heard sermons in various churches; either Catholicism, or twaddle, was preached. I begin to suspect that good preaching is the rarest phenomenon in this modern world. We hope you have all enjoyed good health this winter. Mrs. Lee and our daughter unite with me in kindest regards.

"I remain, dear Dr. Stark,

"Sincerely yours,

"R. Lee."

"*Dec.* 13."

A little later, he says in a letter to me, "Upon the whole, I think I am making steady progress, though slow. We are all in God's hands, and should be thankful. This is just the place 'to slumber and dream,' though aroused sometimes, almost diverted, by the sayings and doings of the Anglo-Catholic Priesthood and their disciples. Poor, silly, gullible mortals—people seem much

the same everywhere, more eager to believe than to know what they believe is true." Again, to Mr. McFarlan (Cupar), "I am very glad that you should preach to the Greyfriars, knowing that you will say to them that which they will like to hear, and be the better for hearing. . . . . My head is mercifully emptied of thoughts about the Kirk. I hope I shall not disturb the repose of our venerable mother any more, but let her die in peace, if she will die, surrounded by those of her children who are far more anxious that she should be quiet, than that she should live. I hope there is reserved for you and the other younger ministers, the honour and happiness of completing what has been begun, and carried forward with only partial success, amidst much obloquy and opposition."

When able to go to church at Torquay, he generally attended the Presbyterian service conducted by the Rev. Dr. Edersheim, who has very kindly written to me in reference to Dr. Lee. His letter gives us a stranger's impressions of him in these last days. He says :—

"If ever I felt the necessity of divesting oneself of mere outside impressions, derived often almost unconsciously, through those who perhaps have no real means of knowing the man, it was in the case of Dr. Lee. The first and always very marked characteristic impressed on me by intercourse with him, was that of his gentleness, kindness, and amiableness. He was thoroughly a family man, full of warmest affection and tender attention towards his own, and at the same time one who would make friends, keep friends, and shew himself friendly. He was a most pleasant companion also, and had remarkable powers of conversation—not mere talk, but conversation, into which he knew, without pedantry or assumption, how to introduce most varied information. But beyond this he had a singular knowledge of books. I was often surprised at his extensive and accurate

reading on subjects not generally well known. . . . . During his stay in Torquay, Dr. Lee attached himself to my ministry, which he attended as often as the state of his health would allow. He attended in no critical spirit, but most earnestly and devoutly. He afterwards repeatedly spoke to me on the subject of the discourses, and on one occasion especially, he remained behind, as he said, expressly to thank me. The 'lecture' had been from John vi. 15—21, and I shall never forget the emotion nor the manner with which he spoke on that occasion, not long before his end. . . . . Dr. Lee was a Presbyterian by *conviction*, and prepared to vindicate Presbytery against all opponents. It is by no means uncommon for members, elders, and even ministers of the *various* branches of the Presbyterian Church (I except *none*), when in England, to keep in abeyance principles which they have often very loudly asserted in Scotland, and to attend churches and chapels of other denominations in preference to their own. Dr. Lee did not act thus; and he openly advocated the views which he professed. I remember the glee with which he related to me on one occasion the friendly argument which he had just had with some High Church clergymen on Episcopacy. He was a capital—perhaps too good, a controversialist. Possessed of a most subtle intellect, which could see at the same time all points, he seemed to me to have a tendency not unusual in minds of that order, and (if a foreigner may write it without offence) not at all uncommon in Scotland, viz., that of seeing and asserting 'the other side of a question,' sometimes from generous feeling for those who are decried; sometimes from dislike to those who decry; sometimes in the very exuberance of intellectual vigour; sometimes even from love for the contest. . . . Seeing him so frequently, and conversing so intimately with him, you will not wonder that I learned to esteem and love Dr. Lee. All the more terrible was the painful suddenness of his removal. I am grateful for this opportunity of expressing the high regard, amounting almost to affection, which I entertained for him, and still entertain for his memory."

The last letter, which he wrote with his own hand, was to his brother, Mr. George Lee, at Tweedmouth. He says:—

"I think some work, if it be not too much, will do me good. This continued inaction rather frets and depresses me. . . . . This whole coast is very fine. I should like to explore it in a yacht at leisure. But it is not likely I shall ever be rich enough to have a vessel of my own, though that would probably be the healthiest way to spend my summer months. . . . . If spared, I hope I shall be able to discharge the duties of my professorship—at least the greater part of them. But all this is future, and therefore uncertain. I lie in my bed and build many castles in the air, knowing very well that they are mere bubbles,—yet our minds cannot lie altogether idle, and we all revert to our earliest impressions and ideas, so that we are still but children of a larger growth. God bless you all."

When he wrote this letter, on 13th February, and for a few weeks afterwards, he was hopeful of regaining pretty sound health. His recovery appeared to progress steadily. He took his usual exercise with zest, and enjoyed the society of several friends whom he had met at Torquay. Prospects of renewed work at Edinburgh, where he purposed to retain his Chair and resign his Church, brightened before him. But the end was near.

On Thursday night, the 12th of March, he was chatting with his wife and daughter, till about eleven o'clock, and then bade them goodnight, saying he had never felt better. He had not been alone more than a few minutes, when he was struck down by a second and stronger shock of paralysis, from which he never rallied. He did not speak, or manifest any distinct consciousness, again. After a long struggle the spirit was set free, and on the Saturday evening passed away "to where beyond these voices there is peace." When he died he was but sixty-four years old, and might, in the ordinary course of nature, have looked for several years of useful-

ness yet; but his life, of late especially, had been full of hard work, of wearying anxieties, and of sorrows that had crushed out much of his vitality. He had done his part well, had borne his burden and made no complaint, and his time had come. Too early, would any say?—

> "Oh, Sir! the good die first,
> And they whose hearts are dry as summer dust
> Burn to the socket."

They brought him to Edinburgh, that he might be buried beside his four children, in the Grange Cemetery.

The funeral was on Friday the 20th. Many men came long distances to follow him to the grave. Crowds of people gathered in George Square, and on the streets through which the long procession passed. Every spot in the Cemetery, from which his grave could be seen, was thronged with spectators, most of them in mourning dress. Every class of the community seemed to be represented there, united in one sympathy. Many eyes were dim with honest tears, as they watched him borne along and laid down in the "noiseless bed of rest."

His church, which had been closed on the Sunday after his funeral, was opened on the 29th, when Principal Tulloch, in the morning, and Mr. Wallace, in the afternoon, preached with a special reference to their departed friend.

"You are thinking," said Dr. Tulloch, "I have no doubt, this day more of what Dr. Lee was to you, as you met with him here Sunday after Sunday, as you knew him privately and in your families, than of what he was to the public. The public after all can never know what is best in men, not even in those who most interest it and whom it most delights to honour. The

struggles which bring men to the front and fix upon them the attention of the community are apt at the same time to hide and harden over their deeper nature, so as often to give a false impression. This was true in some degree in Dr. Lee's case. Many sections of the public know him only as a keen and unflinching controversialist, as a distinguished Churchman, who gave at times great trouble to his fellow-Churchmen. They were apt to judge him merely by what they knew of him. But all the while you were privileged to know him as he really was. You had learned to appreciate not only his manliness, but his true-hearted tenderness—not only his vigorous powers of understanding, but the unaffected kindness, friendliness, and sympathy that inspired him. Others might mistake him, and interpret his decisive qualities of manner into a certain hardness of nature; but you knew what a bright and genial affectionateness and keenly sensitive temperament lay beneath. It was necessary for him in the work to which he set himself, to 'endure hardness;' he had for long to fight almost alone in the conflict upon which he had entered; he liked, no doubt, at least for a while, its excitement; he enjoyed the keen fence and parry of debate, and to plant his blows well in behalf of what he considered to be the cause of freedom and right; but in all this his pleasure was purely intellectual. He cherished no malice towards any adversary; he never sought unfair means to disparage those who differed from him; he never, so far as I know, descended to personalities. He might touch sharply a weakness, especially a weakness of argument; but he never used unlawful weapons. He never stabbed in the dark. He never used language which even a delicate refinement could repudiate. You knew, although many others did not, that this was of the character of the man—that whatever strifes he was forced to engage in, he did not really love strife for its own sake, and that, even when most prominent in public discussions, there was a peaceful and beautiful background to his life of which you were the sharers. There was something, indeed, deeply pathetic in the contrast of his private life with his public conflicts. No home was ever more smoothed and brightened by family love; and it was painfully desolated by one bereavement after another. From all this darkness he came forth a saddened, stricken, chastened, yet hopeful man. He would have been glad to rest,

yet he would not shrink from what he considered to be his duty. His courage was unabated, his sense of right undaunted; and notwithstanding all his trials, and all his longing for rest, he could not spare himself in the work he had begun. * * * * * * The improvement of the Church's worship appeared to him a most vital matter. He felt it to be for the time the greatest good for which he could labour. It was no mere obstinacy as to doing a thing in his own way which impelled him; it was the honest wish to serve the Church—to open the way to others for the exercise of what he believed to be not only a valuable, but a righteous freedom. He saw in the future visions of extending usefulness for the Church, if only her service could be adapted more to what he believed to be true instincts of Christian feeling, as well as necessary demands of Christian culture. Why should one not sympathize with such enthusiasm as this, as well as with other forms of Christian enthusiasm? Whatever is fitted to make the Church more useful, to make it not only a more powerful evangelical Agency—the highest, no doubt, of all its functions—but a more perfect organ of Christian intelligence and sentiment and feeling, should not this command our interest and support? Is it the part of wise men in a time like this to be sitting still and doing nothing, while the wheels of change are moving so swiftly? Is it not better to be asking ourselves in all things what is best?—what can most effectually secure the Church's life and power as a conservative influence, binding together human beings in their deepest elements of character, amidst the flux of modern opinion? Why should the evangelical and the moderate Churchman, the dogmatist and the inquirer, spend their strength against each other instead of uniting to make the Church once more a living force in society—drawing to itself at once the educated and the uneducated? No Church can live well without fervid evangelical impulses, without strong dogmatic convictions; but neither can a Church live well without freedom, culture, and attractive interest for all minds and all classes. May a lesson of conciliation and of love, of moderation, and yet of earnestness, come from the grave of our departed friend. No heart ever beat more warmly for the Church than his did. No one ever served it with a more loyal zeal, according to his own sense of loyalty and zeal. In this sense, though dead, may he speak to us; and so may his life,

mysteriously closed in the midst of his work, bear good fruits many days hence."

Let us take a few words also from Mr. Wallace's tribute :—

"Sloth and self-indulgence were unknown to him. You had but to look on his pallid and statuesque features to see the record of a life in which the higher nature had overcome the lower, in which thought had overborne sensation, in which the spirit had achieved the victory over the flesh. In perfect purity and self-denial he had protected his nature and gifts from the corruption of temptations, which so often ruin otherwise shining endowments, that he might devote the full power of his faculties to the work that was given him to do.

* * * * * *

"He did not wrap his talent in a napkin and bury it in the earth. To trade with it was to incur much toil and loss of many desirable things, for it was a peculiar talent; but he did not seek to evade the obligation laid upon him. His talent was, in a word, the reforming instinct, the spirit which detects abuses and dangers, and points out the way of amendment and safety. Than this spirit there is not in the circle of human gifts one more fitted to do service to the world; yet neither is there one which more uniformly exposes its possessor to anger and reproach. So many men believe that there is but one form of serving God, and forget that the forms of doing the Divine will are as diversified as the aspects of human character, that when one arises and seeks to do his Master's work in an unconventional way, he is often denounced, in all honesty it may be, as the adversary of Heaven. This, however false, is to many a powerful deterrent. It was the merit, however, of your departed pastor that he was not so deterred. He acted out his real character, at the expense of estrangement and pain. He might have tried some other work for which he was less suited, and in the perfunctory execution of the uncongenial task he might have secured ease, and the applause of some. But he would not have served the Divine purpose so effectively; and we must hold that in his faithful putting forth of what was in him he was true to Heaven and to us. These seem to me the great lessons of the life that has passed away. From the tomb our

departed father enjoins us to accept the Divine will in doing and in suffering—to bear with patience the burden of grief—to preserve, pure and uncorrupted, the gifts bestowed upon us by God; to hallow them by devotion to some honourable aim; to contribute, without too keen a calculation of personal risks, the influence of our special characters to the service of God in the work of the world. These are surely among the highest and most valuable lessons we can anywhere be taught. And, thinking of him whose career suggests them, the question arises in the heart, 'And are we done with him for ever? Shall we never, nowhere, and under no form or circumstance whatsoever, encounter again the spirit from whom we have learned so much? Is all that is left of him the dust that moulders in yonder grave? That bright centre of so much keen thought, pure feeling, and high purpose—has it evaporated suddenly into non-entity; has it perished everlastingly from the realm of being? I cannot, I will not believe it. Let a severe and sense-bounded philosophy say to me what it will of the impossibility of positive knowledge in such things, I am simply not able to receive and realize its suggestions. You may take from me the clearness and the certainty of knowledge, but you shall not deprive me of the high audacities of faith. I will strengthen myself in that hope of the restoration of all things, which in past time has been the stay and the joy of all devout hearts. And thus, looking back to the career of him whom we mourn, we say, 'Adieu, dear spirit, who hast companied with us thus far on earth; who hast taught us many things; whom we loved, and fain would have kept among us. We shall miss thee much in our dark wanderings here. But we trust to have thee given back to us again. In a bright world that lies behind yon screen of mystery which now veils thee from our eyes, we hope to meet thee by-and-by. Till then, farewell!"

I do not know that I need add any more. If these chapters have pictured him fairly, those who read them will be able to form a just estimate of his character and work. If the picture is not a fair one, I cannot correct it now by any summing up. It will serve its purpose well, if it shall avail to recall to those who knew and

loved him, the pleasant memory of his keen intelligence, lofty aims, unselfish energy, and tender heart; if to those who did not know him, it shall present him as he lived and wrought amongst us. For those who knew him as narrow-hearted men know their foes, and showed him for long years only jealousy and enmity and dull resistance, I have not written. Generous opponents will not, I believe, find cause of offence in the narrative given; but the ungenerous and the envious may seek and discover what they list—

> "He has out-soared the shadow of their night—
> Envy and calumny and hate and pain
> * * * * *
> Can touch him not and torture not again."

Neither to him, where he reposes in the bosom of the great Mother, nor to those whose hearts keep his memory green, can their verdict be of any account. Year by year, as time advances, will the existence of such be more and more forgotten; and his figure will emerge more distinctly from the petty adjuncts which once surrounded it. The memory of the poor and mistaken wranglings and battlings will fade, and the substantial progress and victory achieved will be clearly seen. Men will be better able, by-and-by, to judge the value of his work, when the noise of the struggle, through which he had to clear his way, has floated off into the "infinite silence wherewith our life is bound." They will see that he strove, with all his might, to infuse into the life and thought of the Scottish Church the idea of a nobler worship, and the spirit of a more rational freedom; and they will have learned ere long that if the Church is to live, it must be in virtue of a nobler worship and a more

rational freedom. I do not think that, since the Reformation, there has been any Scottish clergyman suffered to end his course in the Church (not a few of her greatest men having been driven from her fold), who has had such high and statesmanlike ideas of what the Church should be, and might be, as Dr. Lee. Certainly no one, with such large and wide plans of progress and reform, has ever had his action narrowed down, so inevitably almost to one point; and that in itself no vital point, —a trifling point, in fact, except in so far as it was the stronghold of a principle. But men have often had to fight for a great principle within a small area. Thermopylæ was a contracted battle-field.

In the day of a crisis, only the clear-sighted perceive that the dubious current has come to its turning-point; and only the wise discern how the issue is to be controlled. Dr. Lee was clear-sighted enough to see that a crisis was coming in the history of the Church of Scotland, and was wise enough to discern how it might be taken advantage of, and the critical hour so used that the Church might become a greater and more salutary element in the new order which was beginning, than she had been in the old which was passing away. He foresaw a day of—

> "New Churches, new economies, new laws
> Admitting freedom, new societies
> Excluding falsehood;"

and if amongst these the Church to which he had devoted himself, and which he served, faithful unto death, was to have no place and no name, he was resolved that the fault at least should not be his.

He rests now from his many labours, and his works

do follow him. Blessed are they who having so wrought, so rest.

> "His memory long will live alone
> In all our hearts, as mournful light
> That broods above the fallen sun,
> And dwells in Heaven half the night."

"Placide quiescas, nosque, domum tuam, ab infirmo desiderio, et muliebribus lamentis, ad contemplationem virtutum tuarum voces, quas neque lugeri, neque plangi fas est."

THE END.

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